

These pamphlets, dated March 2, 1949, and March 22, 1949, were superseded by the pamphlet dated June 2, 1949, and should not now be used. They are being filed only for the purpose of keeping the record of regulations complete.

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<b>DEFENDANT'S EXHIBIT</b>	
CASE NO. C04-0360P	
EXHIBIT NO. 437	

TX437-001



*Revised June 2, 1949*

# A Pamphlet

Containing Revisions to Rules and Regulations of the  
**WASHINGTON STATE LIQUOR  
CONTROL BOARD**

This pamphlet supplements the booklet heretofore published and distributed by the Board containing the Washington State Liquor Act, as amended by the Laws of 1947, and the Revised Rules and Regulations effective September 1, 1947, and, except as indicated herein, all regulations printed in the booklet referred to remain in full force and effect. A new and complete booklet will be printed and distributed on October 1, 1949. This pamphlet replaces and supersedes the two temporary publications issued in pamphlet form since March 2, 1949, which publications should be destroyed.

## CONTENTS

Title I—General—Applicable to All Licensees.

Regulations (15), (16), (17) and (19-A) are revised.

Title II—Retail Liquor Dispensaries.

This entire title has been revised and the regulations published in this pamphlet supersede those contained in the 1947 booklet.

Title III—Brewers, Beer Wholesalers, Beer Importers and Holders of Certificate of Approval.

Regulation (45-A) is new.

Title VIII—Clubs.

This entire title has been revised and the regulations published in this pamphlet supersede those contained in the 1947 booklet.

Title XI—Liquor Salesmen and Representatives.

This title is new.

## APPENDIX

Chapter 67 of the Laws of 1949 relating to the use of liquor permits for identification purposes (see Regulation (30-A)).

# REVISIONS TO TITLE I—GENERAL—APPLICABLE TO ALL LICENSEES

## (15) Sampling of Liquor—Evidence

(a) The board or its authorized representatives may, upon giving receipt therefor, at any time, take for the purpose of analysis a sample of any liquor manufactured, or of any liquor offered for sale at the warehouse or place of business of a manufacturer, beer importer, wholesaler or retailer.

(b) All spirituous liquor in and on the licensed premises shall be made available at all times by every Class H licensee for inspection by any authorized inspector of the board, and such licensees shall permit any authorized inspector of the board to make such tests or analyses, by spirit hydrometer or otherwise, as the inspector deems proper. Such inspectors are authorized to seize as evidence any bottles and the contents thereof which they have determined have been re-used, refilled, tampered with, adulterated, diluted, fortified or substituted.

## (16) No Liquor Deliveries on Sunday

No liquor shall be delivered to any retail licensee between midnight on Saturday and midnight on Sunday; nor shall any retail licensee receive or accept delivery of any liquor between midnight on Saturday and midnight on Sunday.

## (17) Prohibited Contracts

(a) No contract shall be made or entered into whereby any retail licensee agrees to handle any particular brand or brands of liquor to the exclusion of any other brand or brands of liquor.

(b) No contract shall be made or entered into for the future delivery of liquor to any retail licensee: *Provided*, That this regulation shall not be construed as prohibiting the placing and accepting of orders for the purchase and delivery of liquor which are made in accordance with the usual and common business practice and which are otherwise in compliance with the regulations.

## (19-A) Near Beer

Within the meaning of this regulation, "near beer" means any beverage obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain or cereal in pure water not containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) of alcohol by volume.

No person, firm or corporation holding a wholesale or retail liquor license shall buy or sell, deal in, or in any manner merchandise any near beer for sale or consumption within the state unless:

(a) The bottle in which such near beer is contained shall bear a distinctive label, showing the nature of the contents, the name of the person by whom the near beer is manufactured or brewed, and the place where the words "near beer" in letters not less than one-half inch high in bold-face type, and shall further have printed thereon in letters not less than one-eighth inch high in bold-face type the words "alcohol content less than one-half of one per cent by volume." No label shall be used until the same has been submitted to and approved by the Washington State Liquor Control Board.

(b) All records and books of account showing purchases, sales or transactions in near beer shall be kept and maintained separate and independent from other accounts.

(c) All stocks of near beer shall be kept separate and independent from stocks of other merchandise, and under no condition shall be commingled with stocks of beer and/or wine.

(d) All licensed retailers in selling near beer shall sell the same only by the bottle, and, in servicing the customer for consumption on the premises, shall remove the cap and pour the contents into a glass in full view of the customer, and shall display the bottle to the customer with the label affixed thereon. No licensed retailer shall sell near beer to, nor serve the same to, a customer unless the label be firmly affixed to the bottle at the time of such sale or service.

(e) No retail licensee shall sell, deliver, offer for sale, serve, or allow to be consumed on the premises any near beer except in accordance with Regulation (20) below.

## REVISED TITLE II—RETAIL LIQUOR DISPENSARIES

### (20) Closing Hours—Sunday Closing—Election Days

No retail licensee shall sell, deliver, offer for sale, serve or allow to be consumed upon the licensed premises any liquor, nor permit the removal of any liquor from the licensed premises in any manner whatsoever, upon the day of any general, special or primary election of any state, county or municipal officers within the state, district, county or municipal corporation in which such election is held, and before the polls have closed, nor between the hours of twelve o'clock midnight on Saturday and six o'clock a. m. on the following Monday, nor upon any weekday between the hours of one o'clock a. m. and six o'clock a. m.: *Provided, however*, That any municipality may fix earlier closing hours.

### (21) Advertising—Certain Words Prohibited

No signs or other matter advertising alcoholic beverages or any brands thereof, or using the words "bar," "barroom," "saloon," or words of like or similar import, shall be erected or placed upon the outside of any building in which alcoholic beverages are licensed to be sold at retail, or in close proximity thereto, and no advertisement whatsoever shall contain the words "bar," "barroom," "saloon," or words of like or similar import.

### (22) Signs—General

(a) "Signs," as used in this regulation, shall include all signs advertising liquor, whether Neon signs or signs illuminated by any other method, placards, display cards, decalcomanias, or other advertising media of similar character.

(b) "Other advertising matter," as used in this regulation, shall mean advertising matter not relating to liquor.

(c) "Window," as used in this regulation, shall include windows such as are ordinarily placed in buildings to provide for view or light, and also "display windows" which are used for display purposes only and are so placed in or upon the building as to not provide any view of the interior whatsoever.

(d) Class H licensees shall not be permitted to display in or about the licensed premises signs as defined hereinabove except as follows:

1. On the corner of the premises, in addition to signs bearing the licensee's trade name, one single-faced sign not to exceed in area 630 square inches, to be placed in the immediate vicinity of the entrance, and flat against such exterior or on the inside of a window. The lettering on such sign shall not exceed six inches in height and no figures or symbols other than decorative trim, which trim shall be included within the area specified above, shall be permitted, nor shall such signs, if illuminated, be of the flashing type.
2. One interior sign not to exceed in area 300 square inches placed immediately at the entrance to each room or rooms in which liquor is served to the general public, the lettering thereon not to exceed three and one-half inches in height except for the first letter of any word; nor shall such signs include any figures, symbols, or decorative trim.
3. Such signs shall be limited to the words "Cocktail," "Cocktails," or "Cocktail Lounge" and may be illuminated only during the hours when liquor is sold. (See Regulation (20).)
4. Complete description of all signs must be submitted to the board for approval prior to installation.

(e) All other licensees shall be governed by the following provisions:

1. No sign shall be of an obnoxious, gaudy, blatant or offensive character.
2. Signs shall be limited to illuminated or unilluminated signs of not to exceed in area 630 square inches and no one dimension to exceed 42 inches.
3. Signs and other advertising matter shall be so placed as to always provide a clear and uninterrupted view of the interior of the premises from without.
4. Under no circumstances shall more than three signs, whether illuminated or unilluminated, be on display at one time in the windows of a retail establishment, only two of which may be brand signs, and no bottle displays or other beer or wine advertising matters shall be permitted in windows: *Provided, however*, That one additional sign advertising "Bock Beer" or "Christmas Packages" shall be permitted.
5. No licensee shall put or keep on display in any place on the licensed premises any signs advertising beer and/or wine unless the beers and/or wines so advertised are actually then available for sale on such premises.
6. Signs shall not be illuminated during hours when retail premises are not selling beer and wine.
7. Signs placed in the interior of a licensed premises, whether illuminated or unilluminated, shall be placed so as not to make the entire arrangement of the interior signs, considered as a whole and in relation to the premises, obnoxious, gaudy, blatant or offensive.
8. All signs shall be paid for by the retail licensee: *Provided, however*, That manufacturers and wholesalers may furnish to retail licensees one illuminated beer brand sign per brand of beer and also unilluminated brand signs of beer and wine of nominal value for interior display only: *Provided, further*, That retail licensees handling only one brand of draught beer may be furnished two illuminated brand signs advertising such beer.

**(23) Uninterrupted View of Premises Maintained.—Exception**

All licensed premises, except those holding E and F licenses only, shall be so constructed that there shall be kept at all times an open space sufficient to provide a clear, uninterrupted view of the interior of the premises from without: *Provided, however*, That in the case of Class H licensed premises, basement locations, and in locations above the street then the premises shall be so constructed as to provide the maximum view of the interior of the premises from the entrance.

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**(24) Booths—Clear View—New Construction**

No retail licensee shall conduct a licensed premises where the booths are part of the equipment unless such booths are open at all times at one end so as to provide a clear view from without the same. Whenever there is new construction or major alterations affecting the booths, booths shall be of a maximum height of forty-two inches.

**(25) Labeling Dispensing Apparatus or Container—Furnishing of Certain Devices**

(a) No retail licensee shall draw any beer from any faucet, spigot or other dispensing apparatus unless the brand name of the beer drawn shall appear in legible lettering, visible from both the front and rear, upon such faucet, spigot or other dispensing apparatus.

Brewers and beer wholesalers may furnish "tap marking devices" to retail dispensers as hereinabove provided at a nominal value or cost to the brewer or beer wholesaler. Brewers and beer wholesalers may also furnish can and bottle openers to retail licensees at a nominal value or cost to the brewer or beer wholesaler: *Provided*, That said openers do not bear any brand name or the name of any beer manufacturer or wholesaler or liquor advertising of any kind.

(b) Every bottle or other container from which wine is sold by a retail licensee for consumption on the licensed premises shall be truly labeled with the brand name, type and manufacturer's name of said wine.

Wineries and wine wholesalers may furnish said labels to retail dispensers as hereinabove provided at a value or cost to the winery or wine wholesaler not to exceed forty cents each.

**(26) Sanitation, Equipment and Lighting**

(a) Every retail licensee shall keep his premises and equipment in a clean, wholesome and sanitary condition.

(b) All cups, mugs, steins or glasses used for serving liquor must, after being used, be cleaned, washed and sterilized in the manner prescribed by the State Board of Health sanitation regulations. Any sterilizing process and chemical sterilizing agents used in connection therewith shall meet the requirements of the State Board of Health. (See Sanitation Regulations, State Board of Health, in Supplement.)

(c) All holders of retail licenses for the sale of any liquor for consumption on the premises shall provide in and about the parts of said premises which are open to, and are used by, the public sufficient lighting so that all objects are plainly visible at all times, and all such parts of such premises shall be illuminated to a minimum of two foot-candles as measured by a foot-candle meter at a plane of thirty inches above the floor line.

**(27) Conduct on Licensed Premises—Consumption By Licensee and Employees Limited—Gaming Restricted**

(a) No licensee shall be disorderly, boisterous or intoxicated on the licensed premises, or on any public premises adjacent thereto which are under his control, nor shall he permit any disorderly, boisterous or intoxicated person to be thereon; nor shall he use or allow the use of profane or vulgar language thereon.

(b) No employee, or licensee acting as a bartender or waiter, shall consume liquor of any kind while working on the licensed premises.

(c) No Class H licensee whose premises are open to the public shall have or permit in any room or rooms wherein liquor is sold, served or consumed

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any game or mechanical device which is classified as a game or device of skill or amusement, including specifically, but not by way of limitation, punchboards, dice games, pinball machines, shuffleboards, baffleboards, electric football, baseball and hockey games, or any other similar game or device: *Provided*, That this regulation shall not apply to mechanical musical devices.

**(28) Liquor Displays**

No retail licensee shall display or permit the display of any liquor or liquor containers such as bottles, cans, kegs or cases in the windows of the licensed premises. On-premises licensees shall confine any displays of liquor to bottles and cans on the back bar and such displays shall not be readily visible from the street. Liquor cases and kegs shall be kept in a storeroom or covered in such manner as to be kept from public view.

Retail licensees holding Classes E and F licenses only may display bottled and cased beer and wine in the rear half of the premises in a manner similar to the display of other merchandise but shall not give said display undue prominence. Such displays shall not exceed five cases in height and a total of twenty cases.

**(29) Service Limited to License and Order—Room Service—Price List**

(a) No retail licensee shall possess or allow any person to consume any liquor other than that permitted by his license in or on the licensed premises, or on any public premises adjacent thereto which are under his control.

(b) No holder of a Class H license shall be permitted to hold any other class of retail license covering the premises so licensed. Upon the granting of a Class H license, all other classes of retail licenses which may be held by such new Class H licensee at that time at the premises to be so licensed must be surrendered to the board for cancellation.

(c) Hotel room service is included in on-premises licenses: *Provided*, That those establishments now holding Class E and F licenses only on the effective date of this regulation and desiring to avail themselves of the privilege of service in rooms will not be required to obtain the appropriate license or licenses until after September 30, 1949.

(d) No Class H licensee shall sell, supply, or serve any spirituous liquors other than ordered, or substitute a non-alcoholic beverage when an alcoholic beverage has been ordered. Such licensee shall display prices for all liquor either by posting a price list or by using menus listing such prices, or by both.

(e) No holder of a Class C license shall advertise for sale, nor sell, any mixed drink under the name of "Old Fashioned," "Whiskey Sour," "Singapore Sling," "Martini," "Manhattan," nor any other name which, by long and general usage, has become associated in the public mind as being the name of a mixed drink made from spirituous liquor, nor under any name which is so similar to the above prohibited names as to be readily confused therewith in the public mind. Nor shall any holder of a Class C license, in the mixing or compounding of any mixed drink, use any mixer or other substance whatsoever which contains any of the aromatic compounds and/or essential oils which give to any spirituous liquor its distinctive characteristics of aroma, bouquet and flavor. Nothing in this section shall prevent any holder of a Class C license from advertising for sale, mixing, compounding or preparing for sale, or selling, mixed drinks made from one or more wines with or without the addition of any other liquid or substance which does not conflict with the provisions above, nor under a name which does not conflict with this section.

**(30) No Sale of Liquor to Minors, Indian Wards, Intoxicated Persons, Etc.**

No retail licensee shall give or otherwise supply liquor to any person under the age of 21 years, either for his own use or for the use of his parent or of any other person; or to any person apparently under the influence of liquor; or to any interdicted person (habitual drunkard); or to any Indian who is a ward of the government; nor shall any licensee or employee thereof permit any person under said age or in said condition or classification to consume liquor on his premises, or on any premises adjacent thereto and under his control, except where liquor is administered to such person by his physician or dentist for medicinal purposes.

**(30-A) Liquor Permit Identification Card—Evidence of Age**

Licensees or their employees may accept as evidence of legal age for the service of liquor a liquor permit issued to the person presenting same, provided such person in addition properly completes a card in such form as may be prescribed by the board. Said card in the possession of a licensee, if properly completed and signed, may be offered as a defense in any hearing held by the board for serving liquor to the person who signed said card and may be considered by the board as evidence that the licensee acted in good faith. Such card shall be filed alphabetically by the licensee at or before the close of business on the day the same was executed, in a file box containing a suitable alphabetical index, and shall be made available for inspection and examination at all times by any peace officer or representative of the board. (Effective 12:01 a. m., June 9, 1949.)

**(31) Consumption While Standing—Curb Service Prohibited—Women to Be Seated at Tables**

(a) No retail licensee whose premises are open to the general public shall sell, supply or serve liquor to a person for consumption on the licensed retail premises, nor shall such licensee permit any person to consume liquor on such premises, unless such person is seated: *Provided, however*, That upon the permission of the board first had and obtained, this regulation shall not apply in exceptional cases, such as fairs, picnics, and the like, nor in places of public exhibition. In all cases, curb service is prohibited.

(b) No Class H licensee shall sell, supply or serve any liquor to any woman nor permit her to consume any liquor on the licensed premises unless she is seated at a table. The term "table" is used in accordance with the common and ordinary meaning and understanding of the word and includes booths but not counters or bars.

**(32) Minors—Employment**

No person under the age of 21 years shall be employed in any service in connection with the sale, handling or serving of any liquor, either on a paid or voluntary basis, in, on or about any establishment licensed to sell liquor for consumption on the premises. Nor shall any person under the age of 21 years be permitted to sell any beer or wine in, on or about any establishment holding a Class E or a Class F license.

**(33) Health Cards**

All retail licensees shall have on the licensed premises at all times health cards of all employees, which cards must be renewed as in as required by the State Board of Health.

**(34) Bottles—Illegality, Tampering, and Destruction Thereof**

(a) No Class H licensee shall re-use, refill or tamper with any bottle of spirituous liquor purchased from the board, nor shall such licensee adulterate, dilute, fortify, or cause any substitution of any nature to be made in or to, the contents of any bottle of spirituous liquor purchased from the board.

(b) Every Class H licensee shall, at or before the beginning of each business day, cause to be destroyed every bottle which contained spirituous liquor and which was emptied during the preceding day. Suitable facilities for such destruction shall be provided at the licensed premises.

(c) No retail licensee shall refill a jug, bottle or other container with unpasteurized beer while such jug, bottle or other container bears the label or name of any brand of beer or of any brewer, wholesaler or bottler.

**(35) All Sales for Cash—Exception—Treating and Merchandising Liquor Prohibited**

(a) No retail licensee shall merchandise liquor by means of punchboards, lotteries, "bank night" or other similar devices.

(b) No retail licensee shall give or furnish free liquor to customers within the licensed premises through the custom commonly known as "treating" or "setting them up on the house."

(c) No establishment licensed to sell liquor for consumption on the premises shall sell or otherwise supply any liquor on credit to customers, and no such licensee nor his employee shall give, loan or otherwise advance any money to customers for the purchase of liquor from such licensee: *Provided*, That this section shall not apply to billing privileges extended by hotels and clubs to registered and bona fide guests or members.

**(36) Liquor Purchases by Class H Licensees—Discount—Official Seal—Possession and Disposition of Sealed Liquor—Unsealed Liquor**

(a) Any employee authorized by the board may sell spirituous liquor at a discount of fifteen per cent (15%) from the retail price fixed by the board to any Class H licensee upon presentation to such employee at the time of purchase of a special permit issued by the board to such licensee. The employee shall at the time of selling any spirituous liquor to a Class H licensee make a record of the serial number contained on the official Class H stamp affixed to every bottle of liquor so sold, together with the name of the Class H licensee making the purchase.

(b) There shall be affixed by the board to every bottle containing spirituous liquor sold by the board to any Class H licensee a stamp which shall bear the official seal adopted by the board and which shall be serially numbered. Such stamps shall be known as "Official Class H Stamps." Such stamps shall be attached to the original bottles containing spirituous liquor in such manner as the board deems proper and necessary.

(c) Every Class H licensee, upon purchasing any spirituous liquor from the board, shall immediately cause such liquor to be delivered to his licensed premises, and he shall not thereafter remove or permit to be removed from said premises any bottle containing such liquor, nor shall he dispose or allow to be disposed the liquor contained therein in any manner except as authorized by his license. The possession of any bottle bearing an official Class H stamp by any person other than the Class H licensee who purchased the same, or the possession thereof at any place which is not the licensed premises of the licensee who purchased such liquor, shall be prima facie evidence that the

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Class H licensee identified by the serial number on said star lawfully permitted the removal thereof from his licensed premises.

(d) No Class H licensee shall keep in or on the licensed premises any spirituous liquor in any bottle or other container which has not been sealed with the official Class H stamp prescribed by the board as provided in these regulations.

(e) No person other than a Class H licensee shall have or keep any bottle containing spirituous liquor to which has been affixed the official Class H stamp prescribed by the board.

**(37) Revenue Stamps—Defacement of Such—Tapping of Kegs**

(a) No retail licensee shall sell, remove, receive, purchase or possess or aid in the sale, removal, receipt, or purchase of beer or wine contained in any barrel, package or other container unless the proper revenue stamp has been properly affixed thereon, or upon which a false or fraudulent stamp is affixed, or upon which a stamp once cancelled is used a second time.

(b) No retail licensee shall withdraw or aid in the withdrawal of beer from any barrel, package, or other vessel, without defacing the stamp affixed thereto. In tapping every keg or barrel of draught beer, the faucet or tapping device through which the beer is to be drawn shall be inserted through the beer revenue stamp in such a manner as to deface the same; or, if the beer is to be drawn through the spigot hole or bung hole in the side of the keg or barrel, a faucet shall also be inserted through the stamp affixed at the head of the keg or barrel, or the stamp shall be defaced by cutting away the part thereof of only which covers the spigot hole or tapping bushing at the head of the keg or barrel.

**(38) Entertainment License Must Be Prominently Displayed**

Licensees holding license from local authorities permitting music, dancing or entertainment on licensed premises, as provided by section 27-A, Washington State Liquor Act, must keep such license prominently displayed on the licensed premises.

**(39) Changes in Management of Premises**

(a) Before a change shall be made in the management of a retail licensed business, the licensee shall apply to the board for permission to make such change upon forms prescribed and furnished by the board, and no change of management shall be made until the board shall have approved such change.

(b) Every corporation holding a retail license shall immediately notify the board of any change in the officers of such corporation during the license year.

(c) No business or activity shall be conducted by the retail licensee, nor permitted by the retail licensee to be conducted, upon the licensed retail premises other than such businesses and activities as are being conducted upon the licensed retail premises at the time the retail license is issued; nor in any event shall any business or activity be conducted upon the licensed retail premises either by the licensee or any other person, firm or corporation (except licensed clubs), unless such business or activity be open to the general public; nor shall the licensed retail premises be used as a means of ingress and/or egress to another business activity: *Provided, however*, That changes in the business or activities conducted on the licensed retail premises may be made, and such premises may be used as a means of ingress and/or

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egress to an business activity, by and with the consent of the board first had and obtained.

(d) No retail licensee holding an on-premises license shall make any alterations in the physical setup or arrangement of the licensed retail premises without the consent of the board first had and obtained.

(e) No retail licensee shall store any liquor on any premises not disclosed in his application for license without first obtaining the consent of the board.

#### (40) Records—Purchases—Reports

(a) The originals or copies of all sales slips, invoices and other memoranda covering all purchases of liquor by retail licensees shall be kept on file in the retail premises of the retail licensee purchasing the same for at least two years after each purchase, and shall be filed separately and kept apart from all other records, and as nearly as possible shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and checking. All cancelled checks, bank statements and books of account covering or involving the purchase of liquor, and all memoranda, if any, showing payment of money for liquor other than by check, shall be likewise preserved for two years and shall be at all times kept available for inspection and checking.

(b) No retail licensee shall buy or accept delivery of liquor except for cash paid at the time of the delivery thereof: *Provided*, That in individual and particular cases, upon consent of the board first had and obtained, in writing, a retail licensee may pay cash prior to delivery of liquor purchased: *And provided further*, That credit not to exceed thirty (30) days may be received by railroads holding licenses under section 23-L of the Washington State Liquor Act.

(c) No retail licensee shall purchase beer from a beer wholesaler at a price differing from the price for the package or container of beer as shown in the price posting filed in accordance with section (49) of the regulations.

(d) No retail licensee shall purchase wine except from state liquor stores or from a duly licensed domestic wine wholesaler or a duly licensed domestic winery. No domestic wine shall be purchased from a domestic winery or a domestic wine wholesaler at a price differing from the price for the container of wine as shown in the price posting filed in accordance with section (81) of the regulations. No retail licensee may return wine to a wine wholesaler or to a domestic winery except in accordance with the provisions of section (83) of the regulations. (See Regulation (79-c) Wine Stamps—Cancellation and Destruction.)

(e) All Class H licensees, in addition to the requirements of section (a) above, shall at all times (1) maintain a record of purchases of liquor, (2) maintain a record of sales of liquor by the drink, and (3) make such periodic reports to the board covering purchases, sales, and inventory of liquor as may be prescribed by the board.

#### (41) Suspension Notices, Posting of—Other Closing Notices Prohibited

Whenever the board shall suspend the license of any retail licensee, the board shall on the date the suspension becomes effective cause to be posted in a conspicuous place on or about the licensed premises a notice in a form to be prescribed by the board, and said notice shall state that the license or licenses have been suspended by order of the board because of a violation or violations of the Washington State Liquor Act or the regulations. No

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person shall, until after the suspension period has expired, alter or in any way disturb said notice, nor shall any notice of any kind be placed in, or about the premises indicating that the same have been closed for any other reason. The board shall cause to be inspected regularly during the suspension period the premises for the purpose of determining whether the provisions of this regulation are being complied with, and any failure of compliance shall forthwith be reported to the board.

### TITLE III—BREWERS, BEER WHOLESALERS, BEER IMPORTERS AND HOLDERS OF CERTIFICATES OF APPROVAL

#### (45-A) Out of State Revenue Stamps in Lieu of "Beer in Transit" Stamps

Whenever packages or containers of beer are to be exported into another state the laws of which require the affixation of such state's beer revenue stamps to the outside of such packages or containers and the cancellation thereof prior to importation into such state, as evidenced by bills of lading covering such beer, no "beer in transit" stamps as defined and prescribed by these regulations shall be required: *Provided, however*, That beer so exported shall be considered as bearing "beer in transit" stamps in so far as the other applicable provisions of these regulations relating to such stamps are concerned and shall be subject in all other respects to the requirements governing the exportation of beer.

### TITLE VIII—CLUBS

#### (103) Operations Under Retail Licenses

Clubs operating under any class of retail license shall govern their operations in selling intoxicating liquor in accordance with the regulations set forth in Title II, applicable to all retail liquor dispensaries, except as otherwise specifically provided in this Title. Such clubs shall not cater to the public generally but shall sell only to members and guests as provided in these regulations.

#### (104) Applications

1. Applications for club licenses shall be accompanied by proof that:

(a) the club is a bona fide, non-profit organization;

(b) the club has been in operation for at least one year immediately prior to the date of its application, such proof to consist of records of (1) membership, (2) meetings at least twice a month regularly attended by a substantial number of the members during such period, (3) the location of such meetings, and (4) such other data as is necessary to establish the fact that the applicant has actually operated as a club for such year;

(c) the application is approved by a majority of the members which approval shall be indicated by presentation to the board of a petition bearing the names of such members desiring the license. The president and secretary of the club shall certify on such petition the total number of members of the club in good standing as of the date of the application and that those signing the petition are all members in good standing on such date: *Provided*, That this subsection shall not apply to clubs holding a Class 23-T license on the effective date of this regulation until after June 2, 1949;

(d) the club was not primarily formed or activated to obtain a license to sell liquor, but that the sale of liquor is incidental to the main purposes of the club.

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2. The application must be made in the official name of the organization and be signed by either the president or the secretary and be accompanied by a certified copy of the minutes of that meeting of the governing board of the club which authorized the president or secretary to make the application. The use of trade names shall not be permitted.

#### (105) Constitution—By-Laws—House Rules—Approval by Board

No license shall be issued to any club unless its constitution, by-laws, and house rules are submitted to and approved by the board. Two copies of such constitution, by-laws, and house rules and any amendments thereto shall be kept on file with the board at all times. No amendments to the same which will in any way affect the operation under such license can become operative until after the same have been submitted to and approved by the board.

The constitution, by-laws, and house rules shall provide, *inter alia*:

- (a) that all classifications of members must be admitted only on written application and only after investigation and ballot. Such admissions must be duly recorded in the official minutes of a regular meeting;
- (b) standards of eligibility for members;
- (c) limitation on the number of members consistent with the nature of the club;
- (d) that not more than twelve (12) honorary members be admitted in any one calendar year, and that non-resident and associate members be restricted to numbers consistent with the nature of the club;
- (e) reasonable initiation fees and dues consistent with the nature and purpose of the club;
- (f) the period for which dues shall be paid and the date upon which such period shall expire;
- (g) reasonable regulations for the dropping of members for the non-payment of dues;
- (h) strict regulations for the government of club rooms and club quarters generally consistent with the nature and character of the club;
- (i) that club rooms and quarters must be under the supervision of a club manager and house committee, which committee shall adequately represent the governing body of the club;
- (j) provisions for the issuance and use of guest and courtesy cards for visitors in accordance with Regulation 106.

#### (106) Guest and Courtesy Cards—Visitors

1. Guest cards may be issued only as follows:
  - (a) for clubs located within the limits of any city or town, only to those persons residing outside of an area ten (10) miles from the limits of such city or town;
  - (b) for clubs located outside of any city or town only to those persons residing outside an area fifteen (15) miles from the location of such club: *Provided*, That where such area limitation encroaches upon the limits of any city or town, the entire corporate limits of such city or town shall be included in the prohibited area;
  - (c) such guest cards shall be issued for a period not to exceed two (2) weeks and must be numbered serially, with a record of the issuance of each such card to be filed in a manner as to be readily accessible to the agents of the board.
2. Members may introduce as visitors persons residing within the areas

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specified above: *Provided*, That such visitors must be accompanied at all times by a member, and that any such visitor may only enjoy the privileges of the club a reasonable number of times in any one calendar year.

3. Persons who are members in good standing of a national veterans or fraternal organization may enjoy the privileges of any club operated by a local post, chapter, or lodge of any such organization without reference to the above restrictions.

4. Courtesy cards may be issued to the adult members of the immediate family of any member with or without charge upon application being made to the club by the member.

#### (107) Records

In addition to the requirements of Regulation 40, clubs shall maintain a complete system of bookkeeping covering all operations of the club, with the operations thereof pertaining to liquor being kept separate in a manner prescribed by the board. All such records shall be maintained in an office on the licensed premises and be available for inspection and audit by agents of the board, which agents shall be entitled to make copies thereof or abstracts therefrom or, upon furnishing a proper receipt therefor, remove the originals for such purposes as the board deems necessary.

#### (108) Club Property and Finances—Concessions Prohibited

All property of any club, as well as the advantages thereof, must belong to the members. Any funds advanced for the purchase or improvement of club rooms or quarters must be advanced by the membership or upon securities or properties owned by the club, and any obligations assumed in connection with the establishment or operation of club rooms or quarters must be assumed by the entire club. No club shall receive any money from any source whatever under any arrangement through or under which the person or persons advancing such funds, whether members of the club or not, are to be given control or supervision over the operation of the club. All activities of any such club, except food service and such other activities as may be specifically approved by the board, must be conducted by the club itself and in its own right, and not upon any concession basis either to any member of the club or to any third party. No member of the club, officer, agent or employee of any such club shall be paid, or directly or indirectly receive, in the form of salary or otherwise, any revenue from the operation of the club beyond the amount of such reasonable compensation as may be fixed or voted by the proper authorities of the club and in accordance with the constitution and by-laws of the club.

#### (109) Club Roster—List of Officers

- (a) Every club shall keep and maintain on the premises a complete roster of its members, which roster shall disclose a complete list of the names, addresses, and occupations of each member of the club.
- (b) Each club shall furnish the board with a complete list of all officers of the club, and, shall, from time to time, when any change occurs in its officers by reason of election or otherwise, immediately furnish the board with a revised list of all such officers.

#### (110) Designated Portion of Club Used for Service and Consumption of Liquor

- (a) Each club must specify and describe in its application for license that portion of the club premises to be used for the storage, sale and consumption

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of liquor. No approved shall in such portion of the club premises so described and be without the consent of the board.

(b) Where the physical setup of the club rooms or quarters renders it practical so to do, such portion of the club premises shall be a room or rooms devoted solely to such service and capable of being entirely closed from the remainder of the club rooms or quarters. Bona fide members may possess and consume their own liquor at any time and in any part of the club premises as permitted under the by-laws and house rules of the club. If the club rents any portion of the club rooms or quarters for any purpose other than a strictly club purpose, or holds any function within the club rooms or quarters to which the public generally is invited or admitted then such portion devoted to liquor service must be closed to the public generally and no one admitted therein, except bona fide members and bona fide guests, and, if such portion cannot be so closed, then no such liquor service whatever shall be permitted within the club rooms or quarters during the entire time when such non-club activity is taking place or while the public generally is permitted within the club rooms or quarters.

#### (111) Soliciting—Advertising—Special Events

Clubs shall not engage in any form of soliciting or public advertising, nor shall they publicize any open house activities, free banquets, free cocktail hours, or similar functions by means of postcards or on the outside covers of any house organs. Such latter activities and functions shall be limited to special and infrequent occasions.

In addition to the restrictions and prohibitions of Regulation 22, clubs shall not be permitted any exterior signs with the exception of one sign of reasonable size which sign shall bear only the club's name and a description of which shall be submitted to the board for its approval.

### TITLE XI—LIQUOR SALESMEN AND REPRESENTATIVES

#### (131) Sales to Board—Registration of Agents

All persons, firms or corporations selling or intending to sell or offering for sale any liquor to the board shall register with the board upon forms prescribed by the board each salesman, agent and representative through whom such person, firm or corporation transacts or conducts its sales or makes its offers, and each such salesman, agent and representative shall obtain from the board a registration card.

The fee for such registration shall be \$25.00 each fiscal year for each applicant. Upon receipt of the registration form and fee the board shall issue to such salesman, agent or representative credentials in the form of a registration card authorizing him to conduct the purposes of his employment subject to the conditions imposed by the law and the regulations.

Upon termination of the employment of such salesman, agent or representative, his employer shall immediately notify the board and with such notice return to the board such credentials as may have been issued for such salesman, agent or representative.

#### (132) Salesmen—Prohibited Practices—Penalties

(a) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, shall solicit either in person, by mail or otherwise, any liquor vendor or employee of the board, except the purchasing

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agent thereof, for the purpose or with the intent of furthering a sale of a particular brand or brands of merchandise as against another brand or brands of merchandise.

(b) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall visit any state liquor store or agency except for the purpose of making a purchase in the usual manner, as any other customer, and such person shall not enter any warehouse, store or agency of the board for the purpose of sales promotion or to secure information regarding inventory or any other matter relating to sales.

(c) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall give or offer to any employee of the board any entertainment, gratuity or other consideration for the purpose of inducing or promoting the sale of merchandise.

(d) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, except the authorized agent of a licensed beer wholesaler, brewery or beer importer, or of a licensed domestic winery or domestic wine wholesaler, shall, directly or indirectly, by mail or otherwise, contact or solicit any retail licensee or any employee thereof for the purpose of promoting or inducing the sale of any liquor whatsoever nor grant, allow, pay or rebate, directly or indirectly, any cash or merchandise to any licensee to induce or promote the sale of liquor, including the payment of tips to licensees or their employees and the purchasing of drinks "for the house."

(e) Upon the infraction of any of the foregoing regulations by any salesman, agent or representative, the board may cancel the credentials issued to such salesman, agent or representative and may remove his company's products from the sales list of the board.

### APPENDIX—CHAPTER 67 OF THE LAWS OF 1949

#### CHAPTER 67

[ S. B. 265. ]

SECTION 1. Words and phrases as used in this act shall have the following meaning:

"Board" means State Liquor Control Board.

"Individual permit" means a permit issued by the Board to purchase liquor from state liquor stores.

"Licensee" means the holder of a retail liquor license issued by the Board, including any employee or agent of the licensee.

"Liquor" means "liquor" as defined in section 3, chapter 62, Laws of the Extraordinary Session of 1933, as amended by section 1, chapter 158, Laws of 1935 (sec. 7806-3, Rem. Rev. Stat. Supp.).

SEC. 2. The individual permit issued by the Board may for the purpose of this act and for the purpose of procuring liquor, be accepted as an identification card by any licensee and as evidence of legal age of the person to whom such permit was issued, provided the licensee complies with the conditions and procedures prescribed herein and such regulations as may be made by the Board.


SEC. 3. Said individual permit shall be presented by the holder thereof upon request of any licensee for the purpose of aiding the licensee to determine whether or not such person is at least twenty-one years of age when such person desires to procure liquor from a licensed establishment.

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SEC. 4. In addition to the presentation by the holder and verification by the licensee of such individual permit, the licensee shall require the person whose age may be in question to fill in and sign a card in such form as the Board may prescribe and require and to furnish such other information as the Board may require for the purpose of establishing the identity of the person signing such card. Such statement shall be printed upon a five-inch by eight-inch file card, which card shall be filed alphabetically by the licensee at or before the close of business on the day of which said statement is executed, in the file box containing a suitable alphabetical index and such card shall be subject to examination by any peace officer or agent or employee of the Board at any and all times.

SEC. 5. It shall be unlawful for the owner of an individual permit as defined by this act to transfer said permit to any other person for the purpose of aiding such person to procure alcoholic beverages from any licensee. Any person who shall permit his individual permit to be used by another or to transfer such permit to another for the purpose of aiding such transferee to obtain alcoholic beverages from a licensee, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars or imprisonment for not more than thirty days or both. Any person not entitled thereto who shall have unlawfully procured or have issued or transferred to him an aforesaid individual liquor permit, and any person who shall make any false statement on any card required by section 4 hereof to be signed by him, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars or imprisonment for not more than thirty days or both.

SEC. 6. No licensee of the Board or the agent or employee of the licensee shall be prosecuted criminally or sued in any civil action for serving liquor to a person under twenty-one years of age if such person has presented an individual liquor permit issued to him or her by the Board as defined by this act in accordance with section 3 hereof, and signed a card as provided in section 4 hereof, and said card in the possession of a licensee may be offered as a defense in any hearing held by the Board for serving liquor to the person who signed said card and may be considered by said Board as evidence that the licensee acted in good faith.

 Revised June 2, 1949

# A Pamphlet

Containing Revisions to Rules and Regulations of the

## WASHINGTON STATE LIQUOR CONTROL BOARD

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Revised June 2, 1949

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**REVISIONS TO WASHINGTON STATE LIQUOR CONTROL ACT—APPLICABLE TO ALL LICENSEES**

**15) Sampling of Liquor—Evidence**

(a) The board or its authorized representatives may, upon giving receipt herefor, at any time, take for the purpose of analysis a sample of any liquor manufactured, or of any liquor offered for sale at the warehouse or place of business of a manufacturer, beer importer, wholesaler or retailer.

(b) All spirituous liquor in and on the licensed premises shall be made available at all times by every Class H licensee for inspection by any authorized inspector of the board, and such licensee shall permit any authorized inspector of the board to make such tests or analyses, by spirit hydrometer or otherwise, as the inspector deems proper. Such inspectors are authorized to seize as evidence any bottles and the contents thereof which they have determined have been re-used, refilled, tampered with, adulterated, diluted, or substituted.

**16) No Liquor Deliveries on Sunday**

No liquor shall be delivered to any retail licensee between midnight on Saturday and midnight on Sunday; nor shall any retail licensee receive or accept delivery of any liquor between midnight on Saturday and midnight on Sunday.

**17) Prohibited Contracts**

(a) No contract shall be made or entered into whereby any retail licensee agrees to handle any particular brand or brands of liquor to the exclusion of any other brand or brands of liquor.

(b) No contract shall be made or entered into for the future delivery of liquor to any retail licensee: *Provided*, That this regulation shall not be construed as prohibiting the placing and accepting of orders for the purchase and delivery of liquor which are made in accordance with the usual and common business practice and which are otherwise in compliance with the regulations.

**19-A) Near Beer**

Within the meaning of this regulation, "near beer" means any beverage obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain or cereal in pure water not containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) of alcohol by volume.

No person, firm or corporation holding a wholesale or retail liquor license shall buy or sell, deal in, or in any manner merchandise any near beer for sale or consumption within the state unless:

(a) The bottle in which such near beer is contained shall bear a distinctive label, showing the nature of the contents, the name of the person by whom the near beer is manufactured or brewed, and the place where the near beer was brewed. Such label shall further have printed thereon the words "near beer" in letters not less than one-half inch high in bold-face type, and shall further have printed thereon in letters not less than one-eighth inch high in bold-face type the words "alcohol content less than one-half of one per cent by volume." No label shall be used until the same has been submitted to and approved by the Washington State Liquor Control Board.

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(b) All records and books of account showing purchases, sales and transfers of near beer shall be kept and maintained separate and independent from other accounts.

(c) All stocks of near beer shall be kept separate and independent from stocks of other merchandise, and under no condition shall be commingled with stocks of beer and/or wine.

(d) All licensed retailers in selling near beer shall sell the same only by the bottle, and, in servicing the customer for consumption on the premises, shall remove the cap and pour the contents into a glass in full view of the customer, and shall display the bottle to the customer with the label affixed thereon. No licensed retailer shall sell near beer to, nor serve the same to, a customer unless the label be firmly affixed to the bottle at the time of such sale or service.

(e) No retail licensee shall sell, deliver, offer for sale, serve, or allow to be consumed on the premises any near beer except in accordance with Regulation (20) below.

**REVISED TITLE 71—RETAIL LIQUOR DISPENSARIES**

**(20) Closing Hours—Sunday Closing—Election Days**

No retail licensee shall sell, deliver, offer for sale, serve or allow to be consumed upon the licensed premises any liquor, nor permit the removal of any liquor from the licensed premises in any manner whatsoever, upon the day of any general, special or primary election of any state, county or municipal officers within the state, district, county or municipal corporation in which such election is held, and before the polls have closed, nor between the hours of twelve o'clock midnight on Saturday and six o'clock a. m. on the following Monday, nor upon any weekday between the hours of one o'clock a. m. and six o'clock a. m.: *Provided, however*, That any municipality may fix earlier closing hours.

**(21) Advertising—Certain Words Prohibited**

No signs or other matter advertising alcoholic beverages or any brands thereof, or using the words "bar," "barroom," "saloon," or words of like or similar import, shall be erected or placed upon the outside of any building in which alcoholic beverages are licensed to be sold at retail, or in close proximity thereto, and no advertisement whatsoever shall contain the words "bar," "barroom," "saloon," or words of like or similar import.

**(22) Signs—General**

(a) "Signs," as used in this regulation, shall include all signs advertising liquor, whether Neon signs or signs illuminated by any other method, placards, display cards, decalcomanias, or other advertising media of similar character.

(b) "Other advertising matter," as used in this regulation, shall mean advertising matter not relating to liquor.

(c) "Window," as used in this regulation, shall include windows such as are ordinarily placed in buildings to provide for view or light, and also "display windows" which are used for display purposes only and are so placed in or upon the building as to not provide any view of the interior whatsoever.

(d) Class H licensees shall not be permitted to display in or about the licensed premises signs as defined hereinabove except as follows:

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1. On the exterior of the premises, in addition to signs bearing the licensee's trade name, one single-faced sign not to exceed in area 630 square inches, to be placed in the immediate vicinity of the entrance, and flat against such exterior or on the inside of a window. The lettering on such sign shall not exceed six inches in height and no figures or symbols other than decorative trim, which trim shall be included within the area specified above, shall be permitted, nor shall such signs, if illuminated, be of the flashing type.
2. One interior sign not to exceed in area 300 square inches placed immediately at the entrance to each room or rooms in which liquor is served to the general public, the lettering thereon not to exceed three and one-half inches in height except for the first letter of any word; nor shall such signs include any figures, symbols, or decorative trim.
3. Such signs shall be limited to the words "Cocktail," "Cocktails," or "Cocktail Lounge" and may be illuminated only during the hours when liquor is sold. (See Regulation (20).)
4. Complete description of all signs must be submitted to the board for approval prior to installation.

(e) All other licensees shall be governed by the following provisions:

1. No sign shall be of an obnoxious, gaudy, blatant or offensive character.
2. Signs shall be limited to illuminated or unilluminated signs of not to exceed in area 630 square inches and no one dimension to exceed 42 inches.
3. Signs and other advertising matter shall be so placed as to always provide a clear and uninterrupted view of the interior of the premises from without.

4. Under no circumstances shall more than three signs, whether illuminated or unilluminated, be on display at one time in the windows of a retail establishment, only two of which may be brand signs, and no bottle displays or other beer or wine advertising matters shall be permitted in windows. *Provided, however, That one additional sign advertising "Bock Beer" or "Christmas Packages" shall be permitted.*

5. No licensee shall put or keep on display in any place on the licensed premises any signs advertising beer and/or wine unless the beers and/or wines so advertised are actually then available for sale on such premises.

6. Signs shall not be illuminated during hours when retail premises are not selling beer and wine.

7. Signs placed in the interior of a licensed premises, whether illuminated or unilluminated, shall be placed so as not to make the entire arrangement of the interior signs, considered as a whole and in relation to the premises, obnoxious, gaudy, blatant or offensive.

8. All signs shall be paid for by the retail licensee: *Provided, however, That manufacturers and wholesalers may furnish to retail licensees one illuminated beer brand sign per brand of beer and also unilluminated brand signs of beer and wine of nominal value for interior display only: Provided, further, That retail licensees handling only one brand of draught beer may be furnished two illuminated brand signs advertising such beer.*

~~(20) Uninterrupted View of Premises Maintained—Exception~~ — ~~Exception~~ — All licensed premises, except those holding E and F licenses only, shall be so constructed that there shall be kept at all times an open space sufficient to provide a clear, uninterrupted view of the interior of the premises from without: *Provided, however, That in the case of Class H licensed premises, basement locations, and in locations above the street then the premises shall be so constructed as to provide the maximum view of the interior of the premises from the entrance.*

**(24) Booths—Clear View—New Construction**

(b) No retail licensee shall conduct a licensed premises where booths are part of the equipment unless such booths are open at all times at one end so as to provide a clear view from without the same. Whenever there is new construction or major alterations affecting the booths, booths shall be of a maximum height of forty-two inches.

**(25) Labeling Dispensing Apparatus or Container—Furnishing of Certain Devices**

(a) No retail licensee shall draw any beer from any faucet, spigot or other dispensing apparatus unless the brand name of the beer drawn shall appear in legible lettering, visible from both the front and rear, upon such faucet, spigot or other dispensing apparatus.

Brewers and beer wholesalers may furnish "tap marking devices" to retail dispensers as hereinabove provided at a nominal value or cost to the brewer or beer wholesaler. Brewers and beer wholesalers may also furnish can and bottle openers to retail licensees at a nominal value or cost to the brewer or beer wholesaler: *Provided, That said openers do not bear any brand name or the name of any beer manufacturer or wholesaler or liquor advertising of any kind.*

(b) Every bottle or other container from which wine is sold by a retail licensee for consumption on the licensed premises shall be truly labeled with the brand name, type and manufacturer's name of said wine.

Wine and wine wholesalers may furnish said labels to retail dispensers as hereinabove provided at a value or cost to the winery or wine wholesaler not to exceed forty cents each.

**(26) Sanitation, Equipment and Lighting**

(a) Every retail licensee shall keep his premises and equipment in a clean, wholesome and sanitary condition.

(b) All cups, mugs, steins or glasses used for serving liquor must, after being used, be cleaned, washed and sterilized in the manner prescribed by the State Board of Health sanitation regulations. Any sterilizing process and chemical sterilizing agents used in connection therewith shall meet the requirements of the State Board of Health. (See Sanitation Regulations, State Board of Health, in Supplement.)

(c) All holders of retail licenses for the sale of any liquor for consumption on the premises shall provide in and about the parts of said premises which are open to, and are used by, the public sufficient lighting so that all objects are plainly visible at all times, and all such parts of such premises shall be illuminated to a minimum of two foot-candles as measured by a foot-candle meter at a plane of thirty inches above the floor line.

**(27) Conduct on Licensed Premises—Consumption By Licensee and Employees Limited—Gaming Restricted**

(a) No licensee shall be disorderly, boisterous or intoxicated on the licensed premises, or on any public premises adjacent thereto which are under his control, nor shall he permit any disorderly, boisterous or intoxicated person to be thereon; nor shall he use or allow the use of profane or vulgar language thereon.

(b) No employee, or licensee acting as a bartender or waiter, shall consume liquor of any kind while working on the licensed premises.

(c) No Class H licensee whose premises are open to public shall have or permit in any room or rooms wherein liquor is sold, served or consumed

any skill amusement, including specifically, but not by way of limitation, punchboards, games, pinball machines, shuffleboards, baffleboards, electric football, basketball and hockey games, or any other similar game or device: Provided, That this regulation shall not apply to mechanical musical devices.

#### (26) Liquor Displays

No retail licensee shall display or permit the display of any liquor or liquor containers such as bottles, cans, kegs or cases in the windows of the licensed premises. On-premises licensees shall confine any displays of liquor to bottles and cans on the back bar and such displays shall not be readily visible from the street. Liquor cases and kegs shall be kept in a storeroom or covered in such manner as to be kept from public view.

Retail licensees holding Classes E and F licenses only may display bottled and cased beer and wine in the rear half of the premises in a manner similar to the display of other merchandise but shall not give said display undue prominence. Such displays shall not exceed five cases in height and a total of twenty cases.

#### (27) Service Limited to License and Order—Room Service—Price List

(a) No retail licensee shall possess or allow any person to consume any liquor other than that permitted by his license in or on the licensed premises, or on any public premises adjacent thereto which are under his control.

(b) No holder of a Class H license shall be permitted to hold any other class of retail license covering the premises so licensed. Upon the granting of a Class H license, all other classes of retail licenses which may be held by such new Class H licensee at that time at the premises to be so licensed must be surrendered to the board for cancellation.

(c) Hotel room service is included in on-premises licenses. Provided, That those establishments now holding Class E and F licenses only on the effective date of this regulation and desiring to avail themselves of the privilege of service in rooms will not be required to obtain the appropriate license or licenses until after September 30, 1949.

(d) No Class H licensee shall sell, supply, or serve any spirituous liquors other than ordered, or substitute a non-alcoholic beverage when an alcoholic beverage has been ordered. Such licensee shall display prices for all liquor either by posting a price list or by using menus listing such prices, or by both.

(e) No holder of a Class C license shall advertise for sale, nor sell, any mixed drink under the name of "Old Fashioned," "Whiskey Sour," "Singapore Sling," "Martini," "Manhattan," nor any other name which, by long and general usage, has become associated in the public mind as being the name of a mixed drink made from spirituous liquor, nor under any name which is so similar to the above prohibited names as to be readily confused therewith in the public mind. Nor shall any holder of a Class C license, in the mixing or compounding of any mixed drink, use any mixer or other substance whatsoever which contains any of the aromatic compounds and/or essential oils which give to any spirituous liquor its distinctive characteristics of aroma, bouquet and flavor. Nothing in this section shall prevent any holder of a Class C license from advertising for sale, mixing, compounding or preparing for sale, or selling, mixed drinks made from one or more wines with or without the addition of any other liquid or substance which does not conflict with the prohibitions above, nor under a name which does not conflict with this section.

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#### (30) No Sale of Liquor to Minors, Indian Wards, Intoxicated Persons, Etc.

No retail licensee shall give or otherwise supply liquor to any person under the age of 21 years, either for his own use or for the use of his parent or of any other person; or to any person apparently under the influence of liquor; or to any interdicted person (habitual drunkard); or to any Indian who is a ward of the government; nor shall any licensee or employee thereof permit any person under said age or in said condition or classification to consume liquor on his premises, or on any premises adjacent thereto and under his control, except where liquor is administered to such person by his physician or dentist for medicinal purposes.

#### (30-1/2) Liquor Permit Identification Card—Evidence of Age

Licensees or their employees may accept as evidence of legal age for the service of liquor a liquor permit issued to the person presenting same, provided such person in addition properly completes a card in such form as may be prescribed by the board. Said card in the possession of a licensee, if properly completed and signed, may be offered as a defense in any hearing held by the board for serving liquor to the person who signed said card and may be considered by the board as evidence that the licensee acted in good faith. Such card shall be filed alphabetically by the licensee at or before the close of business on the day the same was executed, in a file box containing a suitable alphabetical index, and shall be made available for inspection and examination at all times by any peace officer or representative of the board. (Effective 12-20-48, June 9, 1949.)

#### (31) Consumption While Standing—Curb Service Prohibited—Women to Be Seated at Tables

(a) No retail licensee whose premises are open to the general public shall sell, supply or serve liquor to a person for consumption on the licensed retail premises, nor shall such licensee permit any person to consume liquor on such premises, unless such person is seated. Provided, however, That upon the permission of the board first had and obtained, this regulation shall not apply in exceptional cases, such as fairs, picnics, and the like, nor in places of public exhibition. In all cases, curb service is prohibited.

(b) No Class H licensee shall sell, supply or serve any liquor to an woman nor permit her to consume any liquor on the licensed premises unless she is seated at a table. The term "table" is used in accordance with the common and ordinary meaning and understanding of the word and include booths but not counters or bars.

#### (32) Minors—Employment

No person under the age of 21 years shall be employed in any service in connection with the sale, handling or serving of any liquor, either on a paid or voluntary basis, in, on or about any establishment licensed to sell liquor for consumption on the premises. Nor shall any person under the age of 21 years be permitted to sell any beer or wine in, on or about any establishment holding a Class E or a Class F license.

#### (33) Health Cards

All retail licensees shall have on the licensed premises at all times health cards of all employees, which cards must be renewed as often as required by the State Board of Health.

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**(34) Bottles—Re-Use, Tampering, and Destruction Thereof**

- (a) No Class H licensee shall re-use, refill or tamper with any bottle of spirituous liquor purchased from the board, nor shall such licensee adulterate, dilute, fortify, or cause any substitution of any nature to be made in or to, the contents of any bottle of spirituous liquor purchased from the board.
- (b) Every Class H licensee shall, at or before the beginning of each business day, cause to be destroyed every bottle which contained spirituous liquor and which was emptied during the preceding day. Suitable facilities for such destruction shall be provided at the licensed premises.
- (c) No retail licensee shall refill a jug, bottle or other container with unpasteurized beer while such jug, bottle or other container bears the label or name of any brand of beer or of any brewer, wholesaler or bottler.

**(35) Sales for Cash—Exception—Treating and Merchandising Liquor**

- (a) No retail licensee shall merchandise liquor by means of punchboards, lotteries, "bank night" or other similar devices.
- (b) No retail licensee shall give or furnish free liquor to customers within the licensed premises through the custom commonly known as "treating" or "setting them up on the house."
- (c) No establishment licensed to sell liquor for consumption on the premises shall sell or otherwise supply any liquor on credit to customers, and no such licensee nor his employee shall give, loan or otherwise advance any money to customers for the purchase of liquor from such licensee: Provided, That this section shall not apply to billing privileges extended by hotels and clubs to registered and bona fide guests or members.

**(36) Liquor Purchases by Class H Licensees—Discount—Official Seal—Possession and Disposition of Sealed Liquor—Unsealed Liquor**

- (a) Any employee authorized by the board may sell spirituous liquor at a discount of fifteen per cent (15%) from the retail price fixed by the board to any Class H licensee upon presentation to such employee at the time of purchase of a special permit issued by the board to such licensee. The employee shall at the time of selling any spirituous liquor to a Class H licensee make a record of the serial number contained on the official Class H stamp affixed to every bottle of liquor so sold, together with the name of the Class H licensee making the purchase.
- (b) There shall be affixed by the board to every bottle containing spirituous liquor sold by the board to any Class H licensee a stamp which shall bear the official seal adopted by the board and which shall be serially numbered. Such stamps shall be known as "Official Class H Stamps." Such stamps shall be attached to the original bottles containing spirituous liquor in such manner as the board deems proper and necessary.
- (c) Every Class H licensee, upon purchasing any spirituous liquor from the board, shall immediately cause such liquor to be delivered to his licensed premises, and he shall not thereafter remove or permit to be removed from said premises any bottle containing such liquor, nor shall he dispose or allow to be disposed the liquor contained therein in any manner except as authorized by his license. The possession of any bottle bearing an official Class H stamp by any person other than the Class H licensee who purchased the same, or the possession thereof at any place which is not the licensed premises of the licensee who purchased such liquor, shall be prima facie evidence that the

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Class H licensee identified by the serial number on said stamp unlawfully permitted the removal thereof from his licensed premises.

- (d) No Class H licensee shall keep in or on the licensed premises any spirituous liquor in any bottle or other container which has not been sealed with the official Class H stamp prescribed by the board as provided in these regulations.
- (e) No person, other than a Class H licensee shall have or keep any bottle containing spirituous liquor to which has been affixed the official Class H stamp prescribed by the board.

**(37) Revenue Stamps—Defacement of Stamps—Tapping of Kegs—**

- (a) No retail licensee shall sell, remove, receive, purchase or possess or aid in the sale, removal, receipt, or purchase of beer or wine contained in any barrel, package or other container unless the proper revenue stamp has been properly affixed thereon, or upon which a false or fraudulent stamp is affixed, or upon which a stamp once cancelled is used a second time.
- (b) No retail licensee shall withdraw or aid in the withdrawal of beer from any barrel, package, or other vessel, without defacing the stamp affixed thereto. In tapping every keg or barrel of draught beer, the faucet or tapping device through which the beer is to be drawn shall be inserted through the beer revenue stamp in such a manner as to deface the same; or, if the beer is to be drawn through the spigot hole or bung hole in the side of the keg or barrel, a faucet shall also be inserted through the stamp affixed at the head of the keg or barrel, or the stamp shall be defaced by cutting away the part thereof of only which covers the spigot hole or tapping bushing at the head of the keg or barrel.

**(38) Entertainment License Must Be Prominently Displayed**

Licensees holding license from local authorities permitting music, dancing or entertainment on licensed premises, as provided by section 27-A, Washington State Liquor Act, must keep such license prominently displayed on the licensed premises.

**(39) Changes in Management of Premises**

- (a) Before a change shall be made in the management of a retail licensed business, the licensee shall apply to the board for permission to make such change upon forms prescribed and furnished by the board, and no change of management shall be made until the board shall have approved such change.
- (b) Every corporation holding a retail license shall immediately notify the board of any change in the officers of such corporation during the license year.
- (c) No business or activity shall be conducted by the retail licensee, nor permitted by the retail licensee to be conducted, upon the licensed retail premises other than such businesses and activities as are being conducted upon the licensed retail premises at the time the retail license is issued, nor in any event shall any business or activity be conducted upon the licensed retail premises either by the licensee or any other person, firm or corporation (except licensed clubs), unless such business or activity be open to the general public; nor shall the licensed retail premises be used as a means of ingress and/or egress to another business activity: Provided, however, that changes in the business or activities conducted on the licensed retail premises may be made, and such premises may be used as a means of ingress and/or

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to another business activity, for use in the conduct of the board ad-and-obtained.

(d) No retail licensee holding an on-premises license shall make any alterations in the physical setup or arrangement of the licensed retail premises without the consent of the board, first had and obtained.

(e) No retail licensee shall store any liquor on any premises not disclosed in his application for license without first obtaining the consent of the board.

#### (40) Records—Purchases—Reports

(a) The originals or copies of all sales slips, invoices and other memoranda covering all purchases of liquor by retail licensees shall be kept on file in the retail premises of the retail licensee purchasing the same for at least two years after each purchase, and shall be filed separately and kept apart from all other records, and as nearly as possible shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and checking. All cancelled checks, bank statements and books of account covering or involving the purchase of liquor, and all memoranda, if any, showing payment of money for liquor other than by check, shall be likewise preserved for two years and shall be at all times kept available for inspection and checking.

(b) No retail licensee shall buy or accept delivery of liquor except for cash paid at the time of the delivery thereof: *Provided*, That in individual and particular cases, upon consent of the board first had and obtained, in writing, a retail licensee may pay cash prior to delivery of liquor purchased: *And provided further*, That credit not to exceed thirty (30) days may be received by railroads holding licenses under section 23-D of the Washington State Liquor Act.

(c) No retail licensee shall purchase beer from a beer wholesaler at a price differing from the price for the package or container of beer as shown in the price posting filed in accordance with section (49) of the regulations.

(d) No retail licensee shall purchase wine except from state liquor stores or from a duly licensed domestic wine wholesaler or a duly licensed domestic winery. No domestic wine shall be purchased from a domestic winery or a domestic wine wholesaler at a price differing from the price for the container of wine as shown in the price posting filed in accordance with section (81) of the regulations. No retail licensee may return wine to a wine wholesaler or to a domestic winery except in accordance with the provisions of section (83) of the regulations. (See Regulation (79-c) Wine Stamps—Cancellation and Destruction.)

(e) All Class H licensees, in addition to the requirements of section (a) above, shall at all times (1) maintain a record of purchases of liquor, (2) maintain a record of sales of liquor by the drink, and (3) make such periodic reports to the board covering purchases, sales, and inventory of liquor as may be prescribed by the board.

#### (41) Suspension Notices, Posting of—Other Closing Notices Prohibited

Whenever the board shall suspend the license of any retail licensee, the board shall on the date the suspension becomes effective cause to be posted in a conspicuous place on or about the licensed premises a notice in a form to be prescribed by the board, and said notice shall state that the license or licenses have been suspended by order of the board because of a violation or violations of the Washington State Liquor Act or the regulations. No

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person shall, until after the suspension period has expired, re , alter or in any way disturb said notice, nor shall any notice of any kind be placed in, or about the premises indicating that the same have been for any other reason. The board shall cause to be inspected regularly during the suspension period the premises for the purpose of determining whether the provisions of this regulation are being complied with, and any failure of compliance shall forthwith be reported to the board.

#### TITLE III—BREWERS, BEER WHOLESALERS, BEER IMPORTERS AND HOLDERS OF CERTIFICATES OF APPROVAL

(45-A) Out of State Revenue Stamps in Lieu of "Beer in Transit" Stamps  
Whenever packages or containers of beer are to be exported into another state the laws of which require the affixation of such state's beer revenue stamps to the outside of such packages or containers and the cancellation thereof prior to importation into such state, as evidenced by bills of lading covering such beer, no "beer in transit" stamps as defined and prescribed by these regulations shall be required: *Provided, however*, That beer so exported shall be considered as bearing "beer in transit" stamps in so far as the other applicable provisions of these regulations relating to such stamps are concerned and shall be subject in all other respects to the requirements governing the exportation of beer.

#### TITLE VIII—CLUBS

##### (103) Operations Under Retail Licenses

Clubs operating under any class of retail license shall govern their operations in selling intoxicating liquor in accordance with the regulations set forth in Title II, applicable to all retail liquor dispensaries, except as otherwise specifically provided in this Title. Such clubs shall not cater to the public generally, but shall sell only to members and guests as provided in these regulations.

##### (104) Applications

1. Applications for club licenses shall be accompanied by proof that:

(a) the club is a bona fide, non-profit organization;  
(b) the club has been in operation for at least one year immediately prior to the date of its application, such proof to consist of records of (1) membership, (2) meetings at least twice a month regularly attended by a substantial number of the members during such period, (3) the location of such meetings, and (4) such other data as is necessary to establish the fact that the applicant has actually operated as a club for such year;

(c) the application is approved by a majority of the members which approval shall be indicated by presentation to the board of a petition bearing the names of such members desiring the license. The president and secretary of the club shall certify on such petition the total number of members of the club in good standing as of the date of the application and that those signing the petition are all members in good standing on such date: *Provided*, That this subsection shall not apply to clubs holding a Class 23-T license on the effective date of this regulation until after June 2, 1949;

(d) the club was not primarily formed or activated to obtain a license to sell liquor, but that the sale of liquor is incidental to the main purposes of the club.

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2. The application must be made in the official name of the organization and be signed by either the president or the secretary and be accompanied by a certified copy of the minutes of that meeting of the governing board of the club which authorized the president or secretary to make the application. The use of trade names shall not be permitted.

**(105) Constitution—By-Laws—House Rules—Approval by Board**

No license shall be issued to any club unless its constitution, by-laws, and house rules are submitted to and approved by the board. Two copies of such constitution, by-laws, and house rules and any amendments thereto shall be kept on file with the board at all times. No amendments to the same which will in any way affect the operation under such license can become operative until after the same have been submitted to and approved by the board.

The constitution, by-laws, and house rules shall provide, *inter alia*:

- (a) that all classifications of members must be admitted only on written application and only after investigation and ballot. Such admissions must be duly recorded in the official minutes of a regular meeting;
- (b) standards of eligibility for members;
- (c) limitation on the number of members consistent with the nature of the club;
- (d) that not more than twelve (12) honorary members be admitted in any one calendar year, and that non-resident and associate members be restricted to numbers consistent with the nature of the club;
- (e) reasonable initiation fees and dues consistent with the nature and purpose of the club;
- (f) the period for which dues shall be paid and the date upon which such period shall expire;
- (g) reasonable regulations for the dropping of members for the non-payment of dues;
- (h) strict regulations for the government of club rooms and club quarters generally consistent with the nature and character of the club;
- (i) that club rooms and quarters must be under the supervision of a club manager and house committee, which committee shall adequately represent the governing body of the club; and
- (j) provisions for the issuance and use of guest and courtesy cards for visitors in accordance with Regulation 106.

**(106) Guest and Courtesy Cards—Visitors**

1. Guest cards may be issued only as follows:
  - (a) for clubs located within the limits of any city or town, only to those persons residing outside of an area ten (10) miles from the limits of such city or town;
  - (b) for clubs located outside of any city or town only to those persons residing outside an area fifteen (15) miles from the location of such club: *Provided*, That where such area limitation encroaches upon the limits of any city or town, the entire corporate limits of such city or town shall be included in the prohibited area;
  - (c) such guest cards shall be issued for a period not to exceed two (2) weeks and must be numbered serially, with a record of the issuance of each such card to be filed in a manner as to be readily accessible to the agents of the board
2. Members may introduce as visitors persons residing within the areas

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specified above: *Provided*, That such visitors must be accompanied at all times by a member, and that any such visitor may only enjoy the privileges of the club a reasonable number of times in any one calendar year.

3. Persons who are members in good standing of a national veterans or fraternal organization may enjoy the privileges of any club operated by a local post, chapter, or lodge of any such organization without reference to the above restrictions.

4. Courtesy cards may be issued to the adult members of the immediate family of any member with or without charge upon application being made to the club by the member.

**(107) Records**

In addition to the requirements of Regulation 40, clubs shall maintain a complete system of bookkeeping covering all operations of the club, with the operations thereof pertaining to liquor being kept separate in a manner prescribed by the board. All such records shall be maintained in an office on the licensed premises and be available for inspection and audit by agents of the board, which agents shall be entitled to make copies thereof or abstracts therefrom or, upon furnishing a proper receipt therefor, remove the originals for such purposes as the board deems necessary.

**(108) Club Property and Finances—Concessions Prohibited**

All property of any club, as well as the advantages thereof, must belong to the members. Any funds advanced for the purchase or improvement of club rooms or quarters must be advanced by the membership or upon securities or properties owned by the club, and any obligations assumed in connection with the establishment or operation of club rooms or quarters must be assumed by the entire club. No club shall receive any money from any source whatever under any arrangement through or under which the person or persons advancing such funds, whether members of the club or not, are to be given control or supervision over the operation of the club. All activities of any such club, except food service and such other activities as may be specifically approved by the board, must be conducted by the club itself and in its own right, and not upon any concession basis either to any member of the club or to any third party. No member of the club, officer, agent or employee of any such club shall be paid, or directly or indirectly receive, in the form of salary or otherwise, any revenue from the operation of the club beyond the amount of such reasonable compensation as may be fixed or voted by the proper authorities of the club and in accordance with the constitution and by-laws of the club.

**(109) Club Roster—List of Officers**

- (a) Every club shall keep and maintain on the premises a complete roster of its members, which roster shall disclose a complete list of the names, addresses, and occupations of each member of the club.
- (b) Each club shall furnish the board with a complete list of all officers of the club, and, shall, from time to time, when any change occurs in its officers by reason of election or otherwise, immediately furnish the board with a revised list of all such officers.

**(110) Designated Portion of Club Used for Service and Consumption of Liquor.**

- (a) Each club must specify and describe in its application for license that portion of the club premises to be used for the storage, and consumption

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1. No change in such portion of the club premises so described and approved shall be made without the consent of the board.

(b) When the physical setup of the club rooms or quarters renders it practical so to do, such portion of the club premises shall be a room or rooms devoted solely to such service and capable of being entirely closed from the remainder of the club rooms or quarters. Bona fide members may possess and consume their own liquor at any time and in any part of the club premises as permitted under the by-laws and house rules of the club. If the club rents any portion of the club rooms or quarters for any purpose other than a strictly club purpose, or holds any function within the club rooms or quarters to which the public generally is invited or admitted then such portion devoted to liquor service must be closed to the public generally and no one admitted therein, except bona fide members and bona fide guests, and, if such portion cannot be so closed, then no such liquor service whatever shall be permitted within the club rooms or quarters during the entire time when such non-club activity is taking place or while the public generally is permitted within the club rooms or quarters.

#### (111) Soliciting—Advertising—Special Events

Clubs shall not engage in any form of soliciting or public advertising, nor shall they publicize any open house activities, free banquets, free cocktail hours, or similar functions by means of postcards or on the outside covers of any house organs. Such latter activities and functions shall be limited to special and infrequent occasions.

In addition to the restrictions and prohibitions of Regulation 22, clubs shall not be permitted any exterior signs with the exception of one sign of reasonable size which sign shall bear only the club's name and a description of which shall be submitted to the board for its approval.

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### TITLE XI—LIQUOR SALESMEN AND REPRESENTATIVES

#### (131) Sales to Board—Registration of Agents

All persons, firms or corporations selling or intending to sell or offering for sale any liquor to the board shall register with the board upon forms prescribed by the board each salesman, agent and representative through whom such person, firm or corporation transacts or conducts its sales or makes its offers, and each such salesman, agent and representative shall obtain from the board a registration card.

The fee for such registration shall be \$25.00 each fiscal year for each applicant. Upon receipt of the registration form and fee the board shall issue to such salesman, agent or representative credentials in the form of a registration card authorizing him to conduct the purposes of his employment subject to the conditions imposed by the law and the regulations.

Upon termination of the employment of such salesman, agent or representative, his employer shall immediately notify the board and with such notice return to the board such credentials as may have been issued for such salesman, agent or representative.

#### (132) Salesmen—Prohibited Practices—Penalties

(a) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, shall solicit either in person, by mail or otherwise, any liquor vendor or employee of the board, except the purchasing

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agent thereof, for the purpose or with the intent of furthering the sale of a particular brand or brands of merchandise as against her brand or brands of merchandise.

(b) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall visit any state liquor store or agency except for the purpose of making a purchase in the usual manner, as any other customer, and such person shall not enter any warehouse, store or agency of the board for the purpose of sales promotion or to secure information regarding inventory or any other matter relating to sales.

(c) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall give or offer to any employee of the board any entertainment, gratuity or other consideration for the purpose of inducing or promoting the sale of merchandise.

(d) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, except the authorized agent of a licensed beer wholesaler, brewery or beer importer, or of a licensed domestic winery or domestic wine wholesaler, shall, directly or indirectly, by mail or otherwise, contact or solicit any retail licensee or any employee thereof for the purpose of promoting or inducing the sale of any liquor whatsoever nor grant, allow, pay or rebate, directly or indirectly, any cash or merchandise to any licensee to induce or promote the sale of liquor, including the payment of tips to licensees or their employees and the purchasing of drinks "for the house."

(e) Upon the infraction of any of the foregoing regulations by any salesman, agent or representative, the board may cancel the credentials issued to such salesman, agent or representative and may remove his company products from the sales list of the board.

### APPENDIX—CHAPTER 67 OF THE LAWS OF 1949

#### CHAPTER 67

[ S. B. 265. ]

SECTION 1. Words and phrases as used in this act shall have the following meaning:

"Board" means State Liquor Control Board.

"Individual permit" means a permit issued by the Board to purchase liquor from state liquor stores.

"Licensee" means the holder of a retail liquor license issued by the Board, including any employee or agent of the licensee.

"Liquor" means "liquor" as defined in section 3, chapter 82, Laws of the Extraordinary Session of 1933, as amended by section 1, chapter 158, Laws of 1935 (sec. 7306-3, Rem. Rev. Stat. Supp.).

SEC. 2. The individual permit issued by the Board may for the purpose of this act and for the purpose of procuring liquor, be accepted as an identification card by any licensee and as evidence of legal age of the person to whom such permit was issued, provided the licensee complies with the conditions and procedures prescribed herein and such regulations as may be made by the Board.

SEC. 3. Said individual permit shall be presented by the holder thereof upon request of any licensee for the purpose of aiding the licensee to determine whether or not such person is at least twenty-one years of age when such person desires to procure liquor from a licensed establishment.

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Sec. 4. In addition to the presentation by the holder and verification by the licensee of such individual permit, the licensee shall require the person whose age may be in question to fill in and sign a card in such form as the Board may prescribe and require and to furnish such other information as the Board may require for the purpose of establishing the identity of the person signing such card. Such statement shall be printed upon a five-inch by eight-inch file card, which card shall be filed alphabetically by the licensee at or before the close of business on the day of which said statement is executed, in the file box containing a suitable alphabetical index and such card shall be subject to examination by any peace officer or agent or employee of the Board at any and all times.

Sec. 5. It shall be unlawful for the owner of an individual permit as defined by this act to transfer said permit to any other person for the purpose of aiding such person to procure alcoholic beverages from any licensee. Any person who shall permit his individual permit to be used by another or to transfer such permit to another for the purpose of aiding such transferee to obtain alcoholic beverages from a licensee, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars or imprisonment for not more than thirty days or both. Any person not entitled thereto who shall have unlawfully procured or have issued or transferred to him an aforesaid individual liquor permit, and any person who shall make any false statement on any card required by section 4 hereof to be signed by him, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars or imprisonment for not more than thirty days or both.

Sec. 6. No licensee of the Board or the agent or employee of the licensee shall be prosecuted criminally or sued in any civil action for serving liquor to a person under twenty-one years of age if such person has presented an individual liquor permit issued to him or her by the Board as defined by this act in accordance with section 3 hereof, and signed a card as provided in section 4 hereof, and said card in the possession of a licensee may be offered as a defense in any hearing held by the Board for serving liquor to the person who signed said card and may be considered by said Board as evidence that the licensee acted in good faith.

Revised June 2, 1949

# A Pamphlet

Containing Revisions to Rules and Regulations of the

## WASHINGTON STATE LIQUOR CONTROL BOARD

This pamphlet supplements the booklet heretofore published and distributed by the Board containing the Washington State Liquor Act, as amended by the Laws of 1947, and the Revised Rules and Regulations effective September 1, 1947, and, except as indicated herein, all regulations printed in the booklet referred to remain in full force and effect. A new and complete booklet will be printed and distributed on October 1, 1949. This pamphlet replaces and supercedes the two temporary publications issued in pamphlet form since March 2, 1949, which publications should be destroyed.

### CONTENTS

Title I—General—Applicable to All Licensees.  
Regulations (15), (16), (17) and (19-A) are revised.

Title II—Retail Liquor Dispensaries.  
This entire title has been revised and the regulations published in this pamphlet supersede those contained in the 1947 booklet.

Title III—Brewers, Beer Wholesalers, Beer Importers and Holders  
of Certificate of Approval.  
Regulation (45-A) is new.

Title VIII—Clubs.  
This entire title has been revised and the regulations published in this pamphlet supersede those contained in the 1947 booklet.

Title XI—Liquor Salesmen and Representatives.  
This title is new.

### APPENDIX

Chapter 67 of the Laws of 1949 relating to the use of liquor permits for identification purposes (see Regulation (80-A)).

WASHINGTON STATE LIQUOR  
CONTROL BOARD

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# A Pamphlet

Containing Revisions to Rules and Regulations of the  
STATE LIQUOR CONTROL BOARD

NOW IN EFFECT

*Mar 22, 1949*

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## CONTENTS

Title I—General—Applicable to All Licensees.

Regulations (15), (16), (17), and (19-A) are revised as shown herein. All other regulations in this title remain unchanged.

Title II—Retail Liquor Dispensaries.

This entire title is revised. Previous regulations have been renumbered, or reworded, and new regulations have been added to cover all retail licensees, including Class H.

Title VIII—Clubs.

Regulations 103 to 106 inclusive, 108 to 111 and 118 are revised as shown herein. All other regulations in this title remain unchanged for the present.

Title XI—Liquor Salesmen and Representatives.

This is entirely new, consisting of regulations (131) and (132).

REVISIONS TO TITLE I--GENERAL--APPLICABLE TO ALL LICENSEES

Effective March 2, 1949

(15) Sampling of Liquor--Evidence

(a) The board or its authorized representatives may, upon giving receipt therefor, at any time, take for the purpose of analysis a sample of any liquor manufactured, or of any liquor offered for sale at the warehouse or place of business of a manufacturer, beer importer, wholesaler or retailer.

(b) All spirituous liquor in and on the licensed premises shall be made available at all times by every Class H licensee for inspection by any authorized inspector of the board, and such licensees shall permit any authorized inspector of the board to make such tests or analyses, by spirit hydrometer or otherwise, as the inspector deems proper. Such inspectors are authorized to seize as evidence any bottles and the contents thereof which they have determined have been re-used, refilled, tampered with, adulterated, diluted, fortified or substituted.

(16) No Liquor Deliveries on Sunday

No liquor shall be delivered to any retail licensee between midnight on Saturday and midnight on Sunday; nor shall any retail licensee receive or accept delivery of any liquor between midnight on Saturday and midnight on Sunday.

(17) Prohibited Contracts

(a) No contract shall be made or entered into whereby any retail licensee agrees to handle any particular brand or brands of liquor to the exclusion of any other brand or brands of liquor.

(b) No contract shall be made or entered into for the future delivery of liquor to any retail licensee: *Provided*, That this regulation shall not be construed as prohibiting the placing and accepting of orders for the purchase and delivery of liquor which are made in accordance with the usual and common business practice and which are otherwise in compliance with the regulations.

(19-A) Near Beer

Within the meaning of this regulation, "near beer" means any beverage obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain or cereal in pure water not containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) of alcohol by volume.

No person, firm or corporation holding a wholesale or retail liquor license shall buy or sell, deal in, or in any manner merchandise any near beer for sale or consumption within the state unless:

(a) The bottle in which such near beer is contained shall bear a distinctive label, showing the nature of the contents, the name of the person by whom the near beer is manufactured or brewed, and the place where the near beer was brewed. Such label shall further have printed thereon the words "near beer" in letters not less than one-half inch high in bold-face type, and shall further have printed thereon in letters not less than one-eighth inch high in bold-face type the words "alcohol content less than one-half of one per cent by volume." No label shall be used until the same has been submitted to and approved by the Washington State Liquor Control Board.

(b) All records and books of account showing purchases, sales or transactions in near beer shall be kept and maintained separate and independent from other accounts.

(c) All stocks of near beer shall be kept separate and independent from stocks of other merchandise, and under no condition shall be commingled with stocks of beer and/or wine.

(d) All licensed retailers in selling near beer shall sell the same only by the bottle, and, in servicing the customer for consumption on the premises, shall remove the cap and pour the contents into a glass in full view of the customer, and shall display the bottle to the customer with the label affixed thereon. No licensed retailer shall sell near beer to, nor serve the same to, a customer unless the label be firmly affixed to the bottle at the time of such sale or service.

(e) No retail licensee shall sell, deliver, offer for sale, serve, or allow to be consumed on the premises any near beer except in accordance with Regulation (20) below.

## REVISED TITLE II—RETAIL LIQUOR DISPENSARIES

Effective March 2, 1949

### (20) Closing Hours—Sunday Closing—Election Days

No retail licensee shall sell, deliver, offer for sale, serve or allow to be consumed upon the licensed premises any liquor, nor permit the removal of any liquor from the licensed premises in any manner whatsoever, upon the day of any general, special or primary election of any state, county or municipal officers within the state, district, county or municipal corporation in which such election is held, and before the polls have closed, nor between the hours of twelve o'clock midnight on Saturday and six o'clock a. m. on the following Monday, nor upon any weekday between the hours of one o'clock a. m. and six o'clock a. m.: *Provided, however*, That any municipality may fix earlier closing hours.

### (21) Advertising—Certain Words Prohibited

No signs or other matter advertising alcoholic beverages or any brands thereof, or using the words "bar," "parlor," "saloon," or words of like or similar import, shall be erected or placed upon the outside of any building in which alcoholic beverages are licensed to be sold at retail, or in close proximity thereto, and no advertisement whatsoever shall contain the words "bar," "parlor," "saloon," or words of like or similar import.

### (22) Signs—General

(a) "Signs," as used in this regulation, shall include all signs advertising liquor, whether Neon signs or signs illuminated by any other method, placards, display cards, decalcomanias, or other advertising media of similar character.

(b) "Other advertising matter," as used in this regulation, shall mean advertising matter not relating to liquor.

(c) "Window," as used in this regulation, shall include windows such as are ordinarily placed in buildings to provide for view or light, and also "display windows" which are used for display purposes only and are so placed in or upon the building as to not provide any view of the interior whatsoever.

(d) Class H licensees shall not be permitted to display in or about the licensed premises as signs as defined hereinabove except as follows:

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1. On the exterior of the premises, in addition to signs bearing the licensee's trade name, one single-faced sign not to exceed in area 630 square inches, to be placed in the immediate vicinity of the entrance, and flat against such exterior or on the inside of a window. The lettering on such sign shall not exceed six inches in height and no figures or symbols other than decorative trim, which trim shall be included within the area specified above, shall be permitted, nor shall such signs, if illuminated, be of the flashing type.

2. One interior sign not to exceed in area 300 square inches placed immediately at the entrance to each room or rooms in which liquor is served to the general public, the lettering thereon not to exceed three and one-half inches in height except for the first letter of any word; nor shall such signs include any figures, symbols, or decorative trim.

3. Such signs shall be limited to the words "Cocktail," "Cocktails," or "Cocktail Lounge" and may be illuminated only during the hours when liquor is sold. (See Regulation (20).)

4. Complete description of all signs must be submitted to the board for approval prior to installation.

(e) All other licensees shall be governed by the following provisions:

1. No sign shall be of an obnoxious, gaudy, blatant or offensive character.

2. Signs shall be limited to illuminated or unilluminated signs of not to exceed in area 630 square inches and no one dimension to exceed 42 inches.

3. Signs and other advertising matter shall be so placed as to always provide a clear and uninterrupted view of the interior of the premises from without.

4. Under no circumstances shall more than three signs, whether illuminated or unilluminated, be on display at one time in the windows of a retail establishment, only two of which may be brand signs, and no bottle displays or other beer or wine advertising matters shall be permitted in windows: *Provided, however*, That one additional sign advertising "Bock Beer" or "Christmas Packages" shall be permitted.

5. No licensee shall put or keep on display in any place on the licensed premises any signs advertising beer and/or wine unless the beers and/or wines so advertised are actually then available for sale on such premises.

6. Signs shall not be illuminated during hours when retail premises are not selling beer and wine.

7. Signs placed in the interior of a licensed premises, whether illuminated or unilluminated, shall be placed so as not to make the entire arrangement of the interior signs, considered as a whole and in relation to the premises obnoxious, gaudy, blatant or offensive.

8. All signs shall be paid for by the retail licensee: *Provided, however*, That manufacturers and wholesalers may furnish to retail licensees one illuminated beer brand sign per brand of beer and also unilluminated brand signs of beer and wine of nominal value for interior display only: *Provided, further*, That retail licensees handling only one brand of draught beer may be furnished two illuminated brand signs advertising such beer.

### (23) Uninterrupted View of Premises Maintained—Exception

All licensed premises, except those holding E and F licenses only, shall be so constructed that there shall be kept at all times an open space sufficient to provide a clear, uninterrupted view of the interior of the premises from without: *Provided, however*, That in the case of Class H licensed premises, basement locations, and in locations above the street then the premises shall be so constructed as to provide the maximum view of interior of the premises from the entrance.

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No ... shall lic ... e shall conduct a licensed premises where booths are part of the equipm ... less such booths are open at all times at one end so as to provide a clear view from without the same. Whenever there is new construction or major alterations affecting the booths, booths shall be of a maximum height of forty-two inches.

(25) Labeling Dispensing Apparatus or Container—Furnishing of Certain Devices

(a) No retail licensee shall draw any beer from any faucet, spigot or other dispensing apparatus unless the brand name of the beer drawn shall appear in legible lettering, visible from both the front and rear, upon such faucet, spigot or other dispensing apparatus.

Brewers and beer wholesalers may furnish "tap marking devices" to retail dispensers as hereinabove provided at a nominal value or cost to the brewer or beer wholesaler. Brewers and beer wholesalers may also furnish can and bottle openers to retail licensees at a nominal value or cost to the brewer or beer wholesaler. *Provided*, That said openers do not bear any brand name or the name of any beer manufacturer or wholesaler or liquor advertising of any kind.

(b) Every bottle or other container from which wine is sold by a retail licensee for consumption on the licensed premises shall be truly labeled with the brand name, type and manufacturer's name of said wine.

Wineries and wine wholesalers may furnish said labels to retail dispensers as hereinabove provided at a value or cost to the winery or wine wholesaler not to exceed forty cents each.

(26) Sanitation, Equipment and Lighting

(a) Every retail licensee shall keep his premises and equipment in a clean, wholesome and sanitary condition.

(b) All cups, mugs, steins or glasses used for serving liquor must, after being used, be cleaned, washed and sterilized in the manner prescribed by the State Board of Health sanitation regulations. Any sterilizing process and chemical sterilizing agents used in connection therewith shall meet the requirements of the State Board of Health. (See Sanitation Regulations, State Board of Health, in Supplement.)

(c) All holders of retail licenses for the sale of any liquor for consumption on the premises shall provide in and about the parts of said premises which are open to, and are used by, the public sufficient lighting so that all objects are plainly visible at all times, and all such parts of such premises shall be illuminated to a minimum of two foot-candles as measured by a foot-candle meter at a plane of thirty inches above the floor line.

(27) Conduct on Licensed Premises—Consumption By Licensee and Employees Limited—Gaming Restricted

(a) No licensee shall be disorderly, boisterous or intoxicated on the licensed premises, or on any public premises adjacent thereto which are under his control, nor shall he permit any disorderly, boisterous or intoxicated person to be thereon; nor shall he use or allow the use of profane or vulgar language thereon.

(b) No employee, or licensee acting as a bartender or waiter, shall consume liquor of any kind while working on the licensed premises.

(c) No Class H licensee whose premises are open to the public shall have or permit in any room or rooms wherein liquor is sold, served or consumed

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any game or mechanical device which is classified as a game device of skill or amusement, including specifically, but not by way of limitation, punchboards, dice games, pinball machines, shuffleboards, boards, electric football, baseball and hockey games, or any other similar game or device. *Provided*, That this regulation shall not apply to mechanical musical devices.

(28) Liquor Displays

No retail licensee shall display or permit the display of any liquor or liquor containers such as bottles, cans, kegs or cases in the windows of the licensed premises. On-premises licensees shall confine any displays of liquor to bottles and cans on the back bar and such displays shall not be readily visible from the street. Liquor cases and kegs shall be kept in a storeroom or covered in such manner as to be kept from public view.

Retail licensees holding Classes E and F licenses only may display bottled and cased beer and wine in the rear half of the premises in a manner similar to the display of other merchandise but shall not give said display undue prominence. Such displays shall not exceed five cases in height and a total of twenty cases.

(29) Service Limited to License and Order—Room Service—Price List

(a) No retail licensee shall possess or allow any person to consume any liquor other than that permitted by his license in or on the licensed premises, or on any public premises adjacent thereto which are under his control.

(b) No holder of a Class H license shall be permitted to hold any other class of retail license covering the premises so licensed. Upon the granting of a Class H license, all other classes of retail licenses which may be held by such new Class H licensee at that time at the premises to be so licensed must be surrendered to the board for cancellation.

(c) Hotel room service is included in on-premises licenses: *Provided*, That those establishments now holding Class E and F licenses only on the effective date of this regulation and desiring to avail themselves of the privilege of service in rooms will not be required to obtain the appropriate license or licenses until after September 30, 1949.

(d) No Class H licensee shall sell, supply, or serve any spirituous liquors other than ordered, or substitute a non-alcoholic beverage when an alcoholic beverage has been ordered. Such licensee shall display prices for all liquor either by posting a price list or by using menus listing such prices, or by both.

(e) No holder of a Class C license shall advertise for sale, nor sell, any mixed drink under the name of "Old Fashioned," "Whiskey Sour," "Singapore Sling," "Martini," "Manhattan," nor any other name which, by long and general usage, has become associated in the public mind as being the name of a mixed drink made from spirituous liquor, nor under any name which is so similar to the above prohibited names as to be readily confused therewith in the public mind. Nor shall any holder of a Class C license, in the mixing or compounding of any mixed drink, use any mixer or other substance whatsoever which contains any of the aromatic compounds and/or essential oils which give to any spirituous liquor its distinctive characteristics of aroma, bouquet and flavor. Nothing in this section shall prevent any holder of a Class C license from advertising for sale, mixing, compounding or preparing for sale, or selling, mixed drinks made from one or more wines with or without the addition of any other liquid or substance which does not conflict with the prohibitions above, nor under a name which does not conflict with this section.

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- (30) **No Sale of Liquor to Minors, Indian Wards, Intoxicated Persons, Etc.**  
No retail licensee shall give or otherwise supply liquor to any person under the age of 21 years, either for his own use or for the use of his parent or of any other person; or to any person apparently under the influence of liquor; or to any interdicted person (habitual drunkard); or to any Indian who is a ward of the government; nor shall any licensee or employee thereof permit any person under said age or in said condition or classification to consume liquor on his premises, or on any premises adjacent thereto and under his control, except where liquor is administered to such person by his physician or dentist for medicinal purposes.

(31) **Consumption While Standing—Curb Service Prohibited—Women to Be Seated at Tables**

- (a) No retail licensee whose premises are open to the general public shall sell, supply or serve liquor to a person for consumption on the licensed retail premises, nor shall such licensee permit any person to consume liquor on such premises, unless such person is seated: *Provided, however,* That upon the permission of the board first had and obtained, this regulation shall not apply in exceptional cases, such as fairs, picnics, and the like, nor in places of public exhibition. In all cases, curb service is prohibited.

- (b) No Class H licensee shall sell, supply or serve any liquor to any woman nor permit her to consume any liquor on the licensed premises unless she is seated at a table. The term "table" is used in accordance with the common and ordinary meaning and understanding of the word and includes booths but not counters or bars.

(32) **Minors—Employment**

- No person under the age of 21 years shall be employed in any service in connection with the sale, handling or serving of any liquor, either on a paid or voluntary basis, in, on or about any establishment licensed to sell liquor for consumption on the premises. Nor shall any person under the age of 21 years be permitted to sell any beer or wine in, on or about any establishment holding a Class E or a Class F license.

(33) **Health Cards**

- All retail licensees shall have on the licensed premises at all times health cards of all employees, which cards must be renewed as often as required by the State Board of Health.

(34) **Bottles—Re-Use, Tampering, and Destruction Thereof**

- (a) No Class H licensee shall re-use, refill or tamper with any bottle of spirituous liquor purchased from the board, nor shall such licensee adulterate, ute, fortify, or cause any substitution of any nature to be made in or to, the contents of any bottle of spirituous liquor purchased from the board.

- (b) Every Class H licensee shall, at or before the beginning of each business day, cause to be destroyed every bottle which contained spirituous liquor and which was emptied during the preceding day. Suitable facilities such destruction shall be provided at the licensed premises.

- (c) No retail licensee shall refill a jug, bottle or other container with pasteurized beer while such jug, bottle or other container bears the label name of any brand of beer or of any brewer, wholesaler or bottler.

(35) **All Sales for Cash—Exception—Treating and Merchandising Liquor Prohibited**

- (a) No retail licensee shall merchandise liquor by means of punchboards, lotteries, "bar fight" or other similar devices.

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- (b) No retail licensee shall give or furnish free liquor to customers within the licensed premises through the custom commonly known as "treating" or "setting them up on the house."

- (c) No establishment licensed to sell liquor for consumption on the premises shall sell or otherwise supply any liquor on credit to customers, and no such licensee nor his employee shall give, loan or otherwise advance any money to customers for the purchase of liquor from such licensee: *Provided,* That this section shall not apply to billing privileges extended by hotels and clubs to registered and bona fide guests or members.

(36) **Liquor Purchases by Class H Licensees—Discount—Official Seal—Possession and Disposition of Sealed Liquor—Unsealed Liquor**

- (a) Any employee authorized by the board may sell spirituous liquor at a discount of fifteen per cent (15%) from the retail price fixed by the board to any Class H licensee upon presentation to such employee at the time of purchase of a special permit issued by the board to such licensee. The employee shall at the time of selling any spirituous liquor to a Class H licensee make a record of the serial number contained on the official Class H stamp affixed to every bottle of liquor so sold, together with the name of the Class H licensee making the purchase.

- (b) There shall be affixed by the board to every bottle containing spirituous liquor sold by the board to any Class H licensee a stamp which shall bear the official seal adopted by the board and which shall be serially numbered. Such stamps shall be known as "Official Class H Stamps." Such stamps shall be attached to the original bottles containing spirituous liquor in such manner as the board deems proper and necessary.

- (c) Every Class H licensee, upon purchasing any spirituous liquor from the board, shall immediately cause such liquor to be delivered to his licensed premises, and he shall not thereafter remove or permit to be removed from said premises any bottle containing such liquor, nor shall he dispose or allow to be disposed the liquor contained therein in any manner except as authorized by his license. The possession of any bottle bearing an official Class H stamp by any person other than the Class H licensee who purchased the same, or the possession thereof at any place which is not the licensed premises of the licensee who purchased such liquor, shall be prima facie evidence that the Class H licensee identified by the serial number on said stamp unlawfully permitted the removal thereof from his licensed premises.

- (d) No Class H licensee shall keep in or on the licensed premises any spirituous liquor in any bottle or other container which has not been sealed with the official Class H stamp prescribed by the board as provided in these regulations.

- (e) No person other than a Class H licensee shall have or keep any bottle containing spirituous liquor to which has been affixed the official Class H stamp prescribed by the board.

(37) **Revenue Stamps—Defacement of Such—Tapping of Kegs**

- (a) No retail licensee shall sell, remove, receive, purchase or possess or aid in the sale, removal, receipt, or purchase of beer or wine contained in any barrel, package or other container unless the proper revenue stamp has been properly affixed thereon, or upon which a false or fraudulent stamp is affixed, or upon which a stamp once cancelled is used a second time.

- (b) No retail licensee shall withdraw or aid in the withdrawal of beer from any barrel, package, or other vessel, without defacing stamp affixed

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thereto. In every keg or barrel of draught beer, the faucet or tapping device through which the beer is to be drawn shall be inserted through the beer revenue stamp in such a manner as to deface the same; or, if the beer is to be drawn through the spigot hole or bung hole in the side of the keg or barrel, a faucet shall also be inserted through the stamp affixed at the head of the keg or barrel, or the stamp shall be defaced by cutting away the part thereof only which covers the spigot hole or tapping bushing at the head of the keg or barrel.

**(38) Entertainment License Must Be Prominently Displayed**

Licenses holding license from local authorities permitting music, dancing or entertainment on licensed premises, as provided by section 27-A, Washington State Liquor Act, must keep such license prominently displayed on the licensed premises.

**(39) Changes in Management of Premises**

(a) Before a change shall be made in the management of a retail licensed business, the license shall apply to the board for permission to make such change upon forms prescribed and furnished by the board, and no change of management shall be made until the board shall have approved such change.

(b) Every corporation holding a retail license shall immediately notify the board of any change in the officers of such corporation during the license year.

(c) No business or activity shall be conducted by the retail licensee, nor permitted by the retail licensee to be conducted, upon the licensed retail premises other than such businesses and activities as are being conducted upon the licensed retail premises at the time the retail license is issued; nor in any event shall any business or activity be conducted upon the licensed retail premises either by the licensee or any other person, firm or corporation (except licensed clubs), unless such business or activity be open to the general public; nor shall the licensed retail premises be used as a means of ingress and/or egress to another business activity: *Provided, however, That* changes in the business or activities conducted on the licensed retail premises may be made, and such premises may be used as a means of ingress and/or egress to another business activity, by and with the consent of the board first had and obtained.

(d) No retail licensee holding an on-premises license shall make any alterations in the physical setup or arrangement of the licensed retail premises without the consent of the board first had and obtained.

(e) No retail licensee shall store any liquor on any premises not disclosed in his application for license without first obtaining the consent of the board.

**(40) Records—Purchases—Reports**

(a) The originals or copies of all sales slips, invoices and other memoranda covering all purchases of liquor by retail licensees shall be kept on file in the retail premises of the retail licensee purchasing the same for at least two years after each purchase, and shall be filed separately and kept apart from all other records, and as nearly as possible shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and checking. All cancelled checks, bank statements and books of account covering or involving the purchase of liquor, and all memoranda, if any, showing payment of money for liquor other than by check,

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shall be likewise preserved for two years and shall be at all times kept available for inspection and checking.

(b) No retail licensee shall buy or accept delivery of liquor except for cash paid at the time of the delivery thereof: *Provided, That* in individual and particular cases, upon consent of the board first had and obtained, in writing, a retail licensee may pay cash prior to delivery of liquor purchased: *And provided further, That* credit not to exceed thirty (30) days may be received by railroads holding licenses under section 23-L of the Washington State Liquor Act.

(c) No retail licensee shall purchase beer from a beer wholesaler at a price differing from the price for the package or container of beer as shown in the price posting filed in accordance with section (49) of the regulations.

(d) No retail licensee shall purchase wine except from state liquor stores or from a duly licensed domestic wine wholesaler or a duly licensed domestic winery. No domestic wine shall be purchased from a domestic winery or a domestic wine wholesaler at a price differing from the price for the container of wine as shown in the price posting filed in accordance with section (81) of the regulations. No retail licensee may return wine to a wine wholesaler or to a domestic winery except in accordance with the provisions of section (83) of the regulations. (See Regulation (79-c) Wine Stamps—Cancellation and Destruction.)

(e) All Class II licensees, in addition to the requirements of section (a) above, shall at all times (1) maintain a record of purchases of liquor, (2) maintain a record of sales of liquor by the drink, and (3) make such periodic reports to the board covering purchases, sales, and inventory of liquor as may be prescribed by the board.

**(41) Suspension Notices, Posting of—Other Closing Notices Prohibited**

Whenever the board shall suspend the license of any retail licensee, the board shall on the date the suspension becomes effective cause to be posted in a conspicuous place on or about the licensed premises a notice in a form to be prescribed by the board, and said notice shall state that the license or licenses have been suspended by order of the board because of a violation or violations of the Washington State Liquor Act or the regulations. No person shall, until after the suspension period has expired, remove, alter or in any way disturb said notice, nor shall any notice of any kind be placed in, or about the premises indicating that the same have been closed for any other reason. The board shall cause to be inspected regularly during the suspension period the premises for the purpose of determining whether the provisions of this regulation are being complied with, and any failure of compliance shall forthwith be reported to the board.

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**TITLE VIII--CLUBS**  
**Effective March 22, 1949**

**103) Operations Under Retail Licenses**

Clubs operating under any class of retail license shall govern their operations in selling intoxicating liquor in accordance with the regulations set forth in Title II, applicable to all retail liquor dispensaries, except as otherwise specifically provided in this Title. Such clubs shall not cater to the public generally but shall sell only to members and guests as provided in these regulations.

**(104) Applications**

1. Applications for club licenses shall be accompanied by proof that:

- (a) the club is a bona fide, non-profit organization;
- (b) the club has been in operation for at least one year immediately prior to the date of its application, such proof to consist of records of (1) membership, (2) meetings at least twice a month regularly attended by a substantial number of the members during such period, (3) the location of such meetings, and (4) such other data as is necessary to establish the fact that the applicant has actually operated as a club for such year;
- (c) the application is approved by a majority of the members which approval shall be indicated by presentation to the board of a petition bearing the names of such members desiring the license. The president and secretary of the club shall certify on such petition the total number of members of the club in good standing as of the date of the application and that those signing the petition are all members in good standing on such date: *Provided*, That this subsection shall not apply to clubs holding a Class 23-T license on the effective date of this regulation until after June 2, 1949;
- (d) the club was not primarily formed or activated to obtain a license to sell liquor, but that the sale of liquor is incidental to the main purposes of the club.

2. The application must be made in the official name of the organization and be signed by either the president or the secretary and be accompanied by a certified copy of the minutes of that meeting of the governing board of the club which authorized the president or secretary to make the application. The use of trade names shall not be permitted.

**(105) Constitution--By-Laws--House Rules--Approval by Board**

No license shall be issued to any club unless its constitution, by-laws, and house rules are submitted to and approved by the board. Two copies of such constitution, by-laws, and house rules and any amendments thereto shall be kept on file with the board at all times. No amendments to the same which will in any way affect the operation under such license can become operative until after the same have been submitted to and approved by the board.

The constitution, by-laws, and house rules shall provide, *inter alia*:

- (a) that all classifications of members must be admitted only on written application and only after investigation and ballot. Such admissions must be duly recorded in the official minutes of a regular meeting;
- (b) standards of eligibility for members;
- (c) limitation on the number of members consistent with the nature of the club;

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- (d) that not more than twelve (12) honorary members be admitted in any one calendar year, and that non-resident and associate members be restricted to numbers consistent with the nature of the club;
- (e) reasonable initiation fees and dues consistent with the nature and purpose of the club;
- (f) the period for which dues shall be paid and the date upon which such period shall expire;
- (g) reasonable regulations for the dropping of members for the non-payment of dues;
- (h) strict regulations for the government of club rooms and club quarters generally consistent with the nature and character of the club;
- (i) that club rooms and quarters must be under the supervision of a club manager and house committee, which committee shall adequately represent the governing body of the club;
- (j) provisions for the issuance and use of guest and courtesy cards for visitors in accordance with Regulation 106.

**(106) Guest and Courtesy Cards--Visitors**

1. Guest cards may be issued only as follows:

- (a) for clubs located within the limits of any city or town, only to those persons residing outside of an area ten (10) miles from the limits of such city or town;
  - (b) for clubs located outside of any city or town only to those persons residing outside an area fifteen (15) miles from the location of such club. *Provided*, That where such area limitation encroaches upon the limits of any city or town, the entire corporate limits of such city or town shall be included in the prohibited area;
  - (c) such guest cards shall be issued for a period not to exceed two (2) weeks and must be numbered serially, with a record of the issuance of each such card to be filed in a manner as to be readily accessible to the agents of the board.
2. Members may introduce as visitors persons residing within the areas specified above: *Provided*, That such visitors must be accompanied at all times by a member, and that any such visitor may only enjoy the privileges of the club a reasonable number of times in any one calendar year.
3. Persons who are members in good standing of a national veterans or fraternal organization may enjoy the privileges of any club operated by a local post, chapter, or lodge of any such organization without reference to the above restrictions.
4. Courtesy cards may be issued to the adult members of the immediate family of any member with or without charge upon application being made to the club by the member.

**(108) Club Property and Finances--Concessions Prohibited**

All property of any club, as well as the advantages thereof, must belong to the members. Any funds advanced for the purchase or improvement of club rooms or quarters must be advanced by the membership or upon securities or properties owned by the club, and any obligations assumed in connection with the establishment or operation of club rooms or quarters must be assumed by the entire club. No club shall receive any money from any source whatever under any arrangement through or under which the person

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person" advancing such funds, whether members of the club or not, are to be given a role or supervision over the operation of the club. All activities of any such club, except food service and such other activities as may be specifically approved by the board, must be conducted by the club itself and in its own right, and not upon any concession basis either to any member of the club or to any third party. No member of the club, officer, agent or employee of any such club shall be paid, or directly or indirectly receive, in the form of salary or otherwise, any revenue from the operation of the club beyond the amount of such reasonable compensation as may be fixed or voted by the proper authorities of the club and in accordance with the constitution and by-laws of the club.

**(109) Club Roster—List of Officers**

- (a) Every club shall keep and maintain on the premises a complete roster of its members, which roster shall disclose a complete list of the names, addresses, and occupations of each member of the club.
- (b) Each club shall furnish the board with a complete list of all officers of the club, and, shall, from time to time, when any change occurs in its officers by reason of election or otherwise, immediately furnish the board with a revised list of all such officers.

**(110) Designated Portion of Club Used for Service and Consumption of Liquor**

- (a) Each club must specify and describe in its application for license that portion of the club premises to be used for the storage, sale and consumption of liquor. No change in such portion of the club premises so described and approved shall be made without the consent of the board.
- (b) Where the physical setup of the club rooms or quarters renders it practical so to do, such portion of the club premises shall be a room or rooms devoted solely to such service and capable of being entirely closed from the remainder of the club rooms or quarters. Bona fide members may possess and consume their own liquor at any time and in any part of the club premises as permitted under the by-laws and house rules of the club. If the club rents any portion of the club rooms or quarters for any purpose other than a strictly club purpose, or holds any function within the club rooms or quarters to which the public generally is invited or admitted then such portion devoted to liquor service must be closed to the public generally and no one admitted therein, except bona fide members and bona fide guests, and, if such portion cannot be so closed, then no such liquor service whatever shall be permitted within the club rooms or quarters during the entire time when such non-club activity is taking place or while the public generally is permitted within the club rooms or quarters.

**(111) Soliciting—Advertising—Special Events**

Clubs shall not engage in any form of soliciting or public advertising, nor shall they publicize any open house activities, free banquets, free cocktail hours, or similar functions by means of postcards or on the outside covers of any house organs. Such latter activities and functions shall be limited to special and infrequent occasions.

In addition to the restrictions and prohibitions of Regulation 22, clubs shall not be permitted any exterior signs with the exception of one sign of reasonable size which sign shall bear only the club's name and a description of which shall be submitted to the board for its approval.

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**(118) Records**

In addition to the requirements of Regulation 40, clubs shall maintain a complete system of bookkeeping covering all operations of the club, with the operations thereof pertaining to liquor being kept separate in a manner prescribed by the board. All such records shall be maintained in an office on the licensed premises and be available for inspection and audit by agents of the board, which agents shall be entitled to make copies thereof or abstracts therefrom or, upon furnishing a proper receipt therefor, remove the originals for such purposes as the board deems necessary.

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## TITLE XI—LIQUOR SALESMEN AND REPRESENTATIVES

Effective March 2, 1949

### (131) Sales to Board—Registration of Agents

All persons, firms or corporations selling or intending to sell or offering for sale any liquor to the board shall register with the board upon forms prescribed by the board each salesman, agent and representative through whom such person, firm or corporation transacts or conducts its sales or makes its offers, and each such salesman, agent and representative shall obtain from the board a registration card.

The fee for such registration shall be \$25.00 each fiscal year for each applicant. Upon receipt of the registration form and fee the board shall issue to such salesman, agent or representative credentials in the form of a registration card authorizing him to conduct the purposes of his employment subject to the conditions imposed by the law and the regulations.

Upon termination of the employment of such salesman, agent or representative, his employer shall immediately notify the board and with such notice return to the board such credentials as may have been issued for such salesman, agent or representative.

### (132) Salesmen—Prohibited Practices—Penalties

(a) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, shall solicit either in person, by mail or otherwise, any liquor vendor or employee of the board, except the purchasing agent thereof, for the purpose or with the intent of furthering the sale of a particular brand or brands of merchandise as against another brand or brands of merchandise.

(b) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall visit any state liquor store or agency except for the purpose of making a purchase in the usual manner, as any other customer, and such person shall not enter any warehouse, store or agency of the board for the purpose of sales promotion or to secure information regarding inventory or any other matter relating to sales.

(c) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall give or offer to any employee of the board any entertainment, gratuity or other consideration for the purpose of inducing or promoting the sale of merchandise.

(d) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, except the authorized agent of a licensed beer wholesaler, brewery or beer importer, or of a licensed domestic winery or domestic wine wholesaler, shall, directly or indirectly, by mail or otherwise, contact or solicit any retail licensee or any employee thereof for the purpose of promoting or inducing the sale of any liquor whatsoever nor grant, allow, pay or rebate, directly or indirectly, any cash or merchandise to any licensee to induce or promote the sale of liquor, including the payment of tips to licensees or their employees and the purchasing of drinks "for the house."

(e) Upon the infraction of any of the foregoing regulations by any salesman, agent or representative, the board may cancel the credentials issued to such salesman, agent or representative and may remove his company's products from the sales list of the board.

## WASHINGTON STATE LIQUOR CONTROL BOARD

# A Pamphlet

Containing Revisions to Rules and Regulations of the  
STATE LIQUOR CONTROL BOARD

NOW IN EFFECT

Mar 22, 1949

## CONTENTS

Title I—General—Applicable to All Licensees.

Regulations (15), (16), (17), and (19-A) are revised as shown herein. All other regulations in this title remain unchanged.

Title II—Retail Liquor Dispensaries.

This entire title is revised. Previous regulations have been renumbered, or reworded, and new regulations have been added to cover all retail licensees, including Class H.

Title VIII—Clubs.

Regulations 103 to 106 inclusive, 108 to 111 and 118 are revised as shown herein. All other regulations in this title remain unchanged for the present.

Title XI—Liquor Salesmen and Representatives.

This is entirely new, consisting of regulations (131) and (132).

WASHINGTON STATE LIQUOR  
CONTROL BOARD

A Pamphlet

Containing Revisions to Rules and Regulations of the  
STATE LIQUOR CONTROL BOARD

EFFECTIVE MARCH 2, 1949

CONTENTS

Title I—General—Applicable to All Licensees.

Regulations (15), (16), (17), and (19-A) are revised as shown herein. All other regulations in this title remain unchanged.

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REVISIONS TO TITLE I—GENERAL—APPLICABLE TO ALL LICENSEES

Effective March 2, 1949

(15) Sampling of Liquor—Evidence

(a) The board or its authorized representatives may, upon giving receipt therefor, at any time, take for the purpose of analysis a sample of any liquor manufactured, or of any liquor offered for sale at the warehouse or place of business of a manufacturer, beer importer, wholesaler or retailer.

(b) All spirituous liquor in and on the licensed premises shall be made available at all times by every Class H licensee for inspection by any authorized inspector of the board, and such licensees shall permit any authorized inspector of the board to make such tests or analyses, by spirit hydrometer or otherwise, as the inspector deems proper. Such inspectors are authorized to seize as evidence any bottles and the contents thereof which they have determined have been re-used, refilled, tampered with, adulterated, diluted, fortified or substituted.

(16) No Liquor Deliveries on Sunday

No liquor shall be delivered to any retail licensee between midnight on Saturday and midnight on Sunday; nor shall any retail licensee receive or accept delivery of any liquor between midnight on Saturday and midnight on Sunday.

(17) Prohibited Contracts

(a) No contract shall be made or entered into whereby any retail licensee agrees to handle any particular brand or brands of liquor to the exclusion of any other brand or brands of liquor.

(b) No contract shall be made or entered into for the future delivery of liquor to any retail licensee: *Provided*, That this regulation shall not be construed as prohibiting the placing and accepting of orders for the purchase and delivery of liquor which are made in accordance with the usual and common business practice and which are otherwise in compliance with the regulations.

(19-A) Near Beer

Within the meaning of this regulation, "near beer" means any beverage obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain or cereal in pure water not containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) of alcohol by volume.

No person, firm or corporation holding a wholesale or retail liquor license shall buy or sell, deal in, or in any manner merchandise any near beer for sale or consumption within the state unless:

(a) The bottle in which such near beer is contained shall bear a distinctive label, showing the nature of the contents, the name of the person by whom the near beer is manufactured or brewed, and the place where the near beer was brewed. Such label shall further have printed thereon the words "near beer" in letters not less than one-half inch high in bold-face type, and shall further have printed thereon in letters not less than one-eighth inch high in bold-face type the words "alcohol content less than one-half of one per cent by volume." No label shall be used until the same has been submitted to and approved by the Washington State Liquor Control Board.

(b) All records and books of account showing purchases, sales or transactions in near beer shall be kept and maintained separate and independent from other accounts.

(c) All stocks of near beer shall be kept separate and independent from stocks of other merchandise, and under no condition shall be commingled with stocks of beer and/or wine.

(d) All licensed retailers in selling near beer shall sell the same only by the bottle, and, in servicing the customer for consumption on the premises, shall remove the cap and pour the contents into a glass in full view of the customer, and shall display the bottle to the customer with the label affixed thereon. No licensed retailer shall sell near beer to, nor serve the same to, a customer unless the label be firmly affixed to the bottle at the time of such sale or service.

(e) No retail licensee shall sell, deliver, offer for sale, serve, or allow to be consumed on the premises any near beer except in accordance with Regulation (20) below.

## REVISED TITLE II—RETAIL LIQUOR DISPENSARIES

Effective March 2, 1949

### (20) Closing Hours—Sunday Closing—Election Days

No retail licensee shall sell, deliver, offer for sale, serve or allow to be consumed upon the licensed premises any liquor, nor permit the removal of any liquor from the licensed premises in any manner whatsoever, upon the day of any general, special or primary election of any state, county or municipal officers within the state, district, county or municipal corporation in which such election is held, and before the polls have closed, nor between the hours of twelve o'clock midnight on Saturday and six o'clock a. m. on the following Monday, nor upon any weekday between the hours of one o'clock a. m. and six o'clock a. m.: *Provided, however*, That any municipality may fix earlier closing hours.

### (21) Advertising—Certain Words Prohibited

No signs or other matter advertising alcoholic beverages or any brands thereof, or using the words "bar," "barroom," "saloon," or words of like or similar import, shall be erected or placed upon the outside of any building in which alcoholic beverages are licensed to be sold at retail, or in close proximity thereto, and no advertisement whatsoever shall contain the words "bar," "barroom," "saloon," or words of like or similar import.

### (22) Signs—General

(a) "Signs," as used in this regulation, shall include all signs advertising liquor, whether Neon signs or signs illuminated by any other method, placards, display cards, decalcomanias, or other advertising media of similar character.

(b) "Other advertising matter," as used in this regulation, shall mean advertising matter not relating to liquor.

(c) "Window," as used in this regulation, shall include windows such as are ordinarily placed in buildings to provide for view or light, and also "display windows" which are used for display purposes only and are so placed in or upon the building as to not provide any view of the interior whatsoever.

(d) Class H licensees shall not be permitted to display in or about the licensed premises signs as defined hereinabove except as follows:

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1. On the exterior of the premises, in addition to signs bearing the licensee's trade name, one or more signs shall be placed in area against such exterior or on the inside of a window. The lettering on such signs shall not exceed six inches in height and no figures or symbols other than decorative trim, which trim shall be included within the area specified above, shall be permitted, nor shall such signs, if illuminated, be of the flashing type.

2. One interior sign not to exceed in area 300 square inches placed immediately at the entrance to each room or rooms in which liquor served to the general public, the lettering thereon not to exceed three and one-half inches in height except for the first letter of any word; nor shall such signs include any figures, symbols, or decorative trim.

3. Such signs shall be limited to the words "Cocktail," "Cocktails," or "Cocktail Lounge" and may be illuminated only during the hours when liquor is sold. (See Regulation (20).)

4. Complete description of all signs must be submitted to the board for approval prior to installation.

(e) All other licensees shall be governed by the following provisions:

1. No sign shall be of an obnoxious, gaudy, blatant or offensive character.

2. Signs shall be limited to illuminated or unilluminated signs of not to exceed in area 630 square inches and no one dimension to exceed 42 inches.

3. Signs and other advertising matter shall be so placed as to always provide a clear and uninterrupted view of the interior of the premises from without.

4. Under no circumstances shall more than three signs, whether illuminated or unilluminated, be on display at one time in the windows of a retail establishment, only two of which may be brand signs, and no bottle displays of other beer or wine advertising matters shall be permitted in windows: *Provided, however*, That one additional sign advertising "Rock Beer" or "Christmas Packages" shall be permitted.

5. No licensee shall put or keep on display in any place on the licensed premises any signs advertising beer and/or wine unless the beers and/or wines so advertised are actually then available for sale on such premises.

6. Signs shall not be illuminated during hours when retail premises are not selling beer and wine.

7. Signs placed in the interior of a licensed premises, whether illuminated or unilluminated, shall be placed so as not to make the entire arrangement of the interior signs, considered as a whole and in relation to the premises, obnoxious, gaudy, blatant or offensive.

8. All signs shall be paid for by the retail licensee: *Provided, however*, That manufacturers and wholesalers may furnish to retail licensees one illuminated beer brand sign per brand of beer and also unilluminated brand signs of beer and wine of nominal value for interior display only: *Provided, further*, That retail licensees handling only one brand of draught beer may be furnished two illuminated brand signs advertising such beer.

### (23) Uninterrupted View of Premises Maintained—Exception

All licensed premises, except those holding E and F licenses only, shall be so constructed that there shall be kept at all times an open space sufficient to provide a clear, uninterrupted view of the interior of the premises from without: *Provided, however*, That in the case of Class H licensed premises, basement locations, and in locations above the street then the premises shall be so constructed as to provide the maximum view of the interior of the premises from the entrance.

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Every retail licensee shall conduct a licensed premises where booths are part of the equipment unless such booths are open at all times at one end so as to provide a clear view from without the same. Whenever there is new construction or major alterations affecting the booths, booths shall be of a maximum height of forty-two inches.

(25) Labeling Dispensing Apparatus or Container—Furnishing of Certain Devices

(a) No retail licensee shall draw any beer from any faucet, spigot or other dispensing apparatus unless the brand name of the beer drawn shall appear in legible lettering, visible from both the front and rear, upon such faucet, spigot or other dispensing apparatus.

Brewers and beer wholesalers may furnish "tap marking devices" to retail dispensers as hereinabove provided at a nominal value or cost to the brewer or beer wholesaler. Brewers and beer wholesalers may also furnish can and bottle openers to retail licensees at a nominal value or cost to the brewer or beer wholesaler. Provided, That said openers do not bear any brand name or the name of any beer manufacturer or wholesaler or liquor advertising of any kind.

(b) Every bottle or other container from which wine is sold by a retail licensee for consumption on the licensed premises shall be truly labeled with the brand name, type and manufacturer's name of said wine.

Wineries and wine wholesalers may furnish said labels to retail dispensers as hereinabove provided at a value or cost to the winery or wine wholesaler not to exceed forty cents each.

Sanitation, Equipment and Lighting

(a) Every retail licensee shall keep his premises and equipment in a wholesome and sanitary condition.

(b) All cups, mugs, steins or glasses used for serving liquor must, after use, be cleaned, washed and sterilized in the manner prescribed by State Board of Health sanitation regulations. Any sterilizing process chemical sterilizing agents used in connection therewith shall meet the requirements of the State Board of Health. (See Sanitation Regulations, Board of Health, in Supplement.)

(c) All holders of retail licenses for the sale of any liquor for consumption on the premises shall provide in and about the parts of said premises which are open to, and are used by, the public sufficient lighting so that all objects are plainly visible at all times, and all such parts of such premises shall be illuminated to a minimum of two foot-candles as measured by a foot-candle meter at a plane of thirty inches above the floor line.

(27) Conduct on Licensed Premises—Consumption By Licensee and Employees Limited—Gaming Restricted

(a) No licensee shall be disorderly, boisterous or intoxicated on the licensed premises, or on any public premises adjacent thereto which are under his control, nor shall he permit any disorderly, boisterous or intoxicated person to be thereon; nor shall he use or allow the use of profane or vulgar language thereon.

(b) No employee, or licensee acting as a bartender or waiter, shall consume liquor of any kind while working on the licensed premises.

(c) No Class H licensee whose premises are open to the public shall have or permit in any room or rooms wherein liquor is sold, served or consumed

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any game or mechanical device which is classified as a game device of skill or amusement, including specifically, but not by way of limitation, punchboards, dice games, pinball machines, shuffleboards, boards, electric football, baseball and hockey games, or any other similar game or device. Provided, That this regulation shall not apply to mechanical musical devices.

(28) Liquor Displays

No retail licensee shall display or permit the display of any liquor or liquor containers such as bottles, cans, kegs or cases in the windows of the licensed premises. On-premises licensees shall confine any displays of liquor to bottles and cans on the back bar and such displays shall not be readily visible from the street. Liquor cases and kegs shall be kept in a storeroom or covered in such manner as to be kept from public view.

Retail licensees holding Classes E and F licenses only may display bottled and cased beer and wine in the rear half of the premises in a manner similar to the display of other merchandise but shall not give said display undue prominence. Such displays shall not exceed five cases in height and a total of twenty cases.

(29) Service Limited to Licensee and Order—Room Service—Price List

(a) No retail licensee shall possess or allow any person to consume any liquor other than that permitted by his license in or on the licensed premises, or on any public premises adjacent thereto which are under his control.

(b) No holder of a Class H license shall be permitted to hold any other class of retail license covering the premises so licensed. Upon the granting of a Class H license, all other classes of retail licenses which may be held by such new Class H licensee at that time at the premises to be so licensed must be surrendered to the board for cancellation.

(c) Hotel room service is included in on-premises licenses. Provided, That those establishments now holding Class E and F licenses only on the effective date of this regulation and desiring to avail themselves of the privilege of service in rooms will not be required to obtain the appropriate license or licenses until after September 30, 1949.

(d) No Class H licensee shall sell, supply, or serve any spirituous liquors other than ordered, or substitute a non-alcoholic beverage when an alcoholic beverage has been ordered. Such licensee shall display prices for all liquor either by posting a price list or by using menus listing such prices, or by both.

(e) No holder of a Class C license shall advertise for sale, nor sell, any mixed drink under the name of "Old Fashioned," "Whiskey Sour," "Singapore Sling," "Martini," "Manhattan," nor any other name which, by long and general usage, has become associated in the public mind as being the name of a mixed drink made from spirituous liquor, nor under any name which is so similar to the above prohibited names as to be readily confused therewith in the public mind. Nor shall any holder of a Class C license, in the mixing or compounding of any mixed drink, use any mixer or other substance whatsoever which contains any of the aromatic compounds and/or essential oils which give to any spirituous liquor its distinctive characteristics of aroma, bouquet and flavor. Nothing in this section shall prevent any holder of a Class C license from advertising for sale, mixing, compounding or preparing for sale, or selling, mixed drinks made from one or more wines with or without the addition of any other liquid or substance which does not conflict with the prohibitions above, nor under a name which does not conflict with this section.

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**(30) No Sale of Liquor to Minors, Indian Wards, Intoxicated Persons, Etc.**

No retail licensee shall give or otherwise supply liquor to any person under the age of 21 years, either for his own use or for the use of his parent or of any other person; or to any person apparently under the influence of liquor; or to any interdicted person (habitual drunkard); or to any Indian who is a ward of the government; nor shall any licensee or employee thereof permit any person under said age or in said condition or classification to consume liquor on his premises, or on any premises adjacent thereto and under his control, except where liquor is administered to such person by his physician or dentist for medicinal purposes.

**(31) Consumption While Standing—Curb Service Prohibited—Women to Be Seated at Tables**

(a) No retail licensee whose premises are open to the general public shall sell, supply or serve liquor to a person for consumption on the licensed retail premises, nor shall such licensee permit any person to consume liquor on such premises, unless such person is seated: *Provided, however,* That upon the permission of the board first had and obtained, this regulation shall not apply in exceptional cases, such as fairs, picnics, and the like, nor in places of public exhibition. In all cases, curb service is prohibited.

(b) No Class H licensee shall sell, supply or serve any liquor to any woman nor permit her to consume any liquor on the licensed premises unless she is seated at a table. The term "table" is used in accordance with the common and ordinary meaning and understanding of the word and includes booths but not counters or bars.

**(32) Minors—Employment**

No person under the age of 21 years shall be employed in any service in connection with the sale, handling or serving of any liquor, either on a paid or voluntary basis, in, on or about any establishment licensed to sell liquor for consumption on the premises. Nor shall any person under the age of 21 years be permitted to sell any beer or wine in, on or about any establishment holding a Class E or a Class F license.

**(33) Health Cards**

All retail licensees shall have on the licensed premises at all times health cards of all employees, which cards must be renewed as often as required by the State Board of Health.

**(34) Bottles—Re-Use, Tampering, and Destruction Thereof**

(a) No Class H licensee shall re-use, refill or tamper with any bottle of spirituous liquor purchased from the board, nor shall such licensee adulterate, dilute, fortify, or cause any substitution of any nature to be made in or to, the contents of any bottle of spirituous liquor purchased from the board.

(b) Every Class H licensee shall, at or before the beginning of each business day, cause to be destroyed every bottle which contained spirituous liquor and which was emptied during the preceding day. Suitable facilities for such destruction shall be provided at the licensed premises.

(c) No retail licensee shall refill a jug, bottle or other container with unpasteurized beer while such jug, bottle or other container bears the label or name of any brand of beer or of any brewer, wholesaler or bottler.

**(35) All Sales for Cash—Exception—Treating and Merchandising Liquor Prohibited**

(a) No retail licensee shall merchandise liquor by means of punchboards, lotteries, "bank night" or other similar devices.

(b) No retail licensee shall give or furnish free liquor to customers within the licensed premises through the custom commonly known as "treating" or "settling them up on the house."

(c) No establishment licensed to sell liquor for consumption on the premises shall sell or otherwise supply any liquor on credit to customers, and no such licensee nor his employee shall give, loan or otherwise advance any money to customers for the purchase of liquor from such licensee: *Provided,* That this section shall not apply to billing privileges extended by hotels and clubs to registered and bona fide guests or members.

**(36) Liquor Purchases by Class H Licensees—Discount—Official Seal—Possession and Disposition of Sealed Liquor—Unsealed Liquor**

(a) Any employee authorized by the board may sell spirituous liquor at a discount of fifteen per cent (15%) from the retail price fixed by the board to any Class H licensee upon presentation to such employee at the time of purchase of a special permit issued by the board to such licensee. The employee shall at the time of selling any spirituous liquor to a Class H licensee make a record of the serial number contained on the official Class H stamp affixed to every bottle of liquor so sold, together with the name of the Class H licensee making the purchase.

(b) There shall be affixed by the board to every bottle containing spirituous liquor sold by the board to any Class H licensee a stamp which shall bear the official seal adopted by the board and which shall be serially numbered. Such stamps shall be known as "Official Class H Stamps." Such stamps shall be attached to the original bottles containing spirituous liquor in such manner as the board deems proper and necessary.

(c) Every Class H licensee, upon purchasing any spirituous liquor from the board, shall immediately cause such liquor to be delivered to his licensed premises, and he shall not thereafter remove or permit to be removed from said premises any bottle containing such liquor, nor shall he dispose or allow to be disposed the liquor contained therein in any manner except as authorized by his license. The possession of any bottle bearing an official Class H stamp by any person other than the Class H licensee who purchased the same, or the possession thereof at any place which is not the licensed premises of the licensee who purchased such liquor, shall be prima facie evidence that the Class H licensee identified by the serial number on said stamp unlawfully permitted the removal thereof from his licensed premises.

(d) No Class H licensee shall keep in or on the licensed premises any spirituous liquor in any bottle or other container which has not been sealed with the official Class H stamp prescribed by the board as provided in these regulations.

(e) No person other than a Class H licensee shall have or keep any bottle containing spirituous liquor to which has been affixed the official Class H stamp prescribed by the board.

**(37) Revenue Stamps—Defacement of Such—Tapping of Kegs**

(a) No retail licensee shall sell, remove, receive, purchase or purchase or aid in the sale, removal, receipt, or purchase of beer or wine contained in any barrel, package or other container unless the proper revenue stamp has been properly affixed thereon, or upon which a false or fraudulent stamp is affixed, or upon which a stamp once cancelled is used a second time.

(b) No retail licensee shall withdraw or aid in the withdrawal of liquor from any barrel, package, or other vessel, without defacing the stamp thereon.

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device through which the beer is to be drawn shall be inserted through the beer revenue stamp in such a manner as to deface the same; or, if the beer is to be drawn through the spigot hole or bung hole in the side of the keg or barrel, a faucet shall also be inserted through the stamp affixed at the head of the keg or barrel, or the stamp shall be defaced by cutting away the part thereof of only which covers the spigot hole or tapping bushing at the head of the keg or barrel.

#### Entertainment License Must Be Prominently Displayed

Licensees holding license from local authorities permitting music, dancing or entertainment on licensed premises, as provided by section 27-A, Washington Liquor Act, must keep such license prominently displayed on the premises.

#### Changes in Management of Premises

Before a change shall be made in the management of a retail licensed premises, the licensee shall apply to the board for permission to make such changes upon forms prescribed and furnished by the board, and no change in management shall be made until the board shall have approved such changes.

(c) Every corporation holding a retail license shall immediately notify the board of any change in the officers of such corporation during the license year.

(c) No business or activity shall be conducted by the retail licensee, nor permitted by the retail licensee to be conducted, upon the licensed retail premises other than such businesses and activities as are being conducted upon the licensed retail premises at the time the retail license is issued; nor in any event shall any business or activity be conducted upon the licensed retail premises either by the licensee or any other person, firm or corporation (except licensed clubs), unless such business or activity be open to the general public; nor shall the licensed retail premises be used as a means of ingress and/or egress to another business activity. *Provided, however,* That changes in the business or activities conducted on the licensed retail premises may be made, and such premises may be used as a means of ingress and/or egress to another business activity, by and with the consent of the board first had and obtained.

(d) No retail licensee holding an on-premises license shall make any alterations in the physical setup or arrangement of the licensed retail premises without the consent of the board first had and obtained.

(e) No retail licensee shall store any liquor on any premises not disclosed in his application for license without first obtaining the consent of the board.

#### (40) Records—Purchases—Reports

(a) The originals or copies of all sales slips, invoices and other memoranda covering all purchases of liquor by retail licensees shall be kept on file in the retail premises of the retail licensee purchasing the same for at least two years after each purchase, and shall be filed separately and kept apart from all other records, and as nearly as possible shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and checking. All cancelled checks, bank statements and books of account covering or involving the purchase of liquor, and all memoranda, if any, showing payment of money for liquor other than by check,

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shall be likewise preserved for two years and shall be at all times available for inspection and checking.

(b) No retail licensee shall buy or accept delivery of liquor except for cash paid at the time of the delivery thereof. *Provided,* That in individual, and particular cases, upon consent of the board first had and obtained, in writing, a retail licensee may pay cash prior to delivery of liquor purchased. *And provided further,* That credit not to exceed thirty (30) days may be received by railroads holding licenses under section 23-L of the Washington State Liquor Act.

(c) No retail licensee shall purchase beer from a beer wholesaler at a price differing from the price for the package or container of beer as shown in the price posting filed in accordance with section (49) of the regulations.

(d) No retail licensee shall purchase wine except from state liquor stores or from a duly licensed domestic wine wholesaler or a duly licensed domestic winery. No domestic wine shall be purchased from a domestic winery or a domestic wine wholesaler at a price differing from the price for the container of wine as shown in the price posting filed in accordance with section (51) of the regulations. No retail licensee may return wine to a wine wholesaler or to a domestic winery except in accordance with the provisions of section (83) of the regulations. (See Regulation (79-c) Wine Stamps—Cancellation and Destruction.)

(e) All Class H licensees, in addition to the requirements of section (a) above, shall at all times (1) maintain a record of purchases of liquor, (2) maintain a record of sales of liquor by the drink, and (3) make such periodic reports to the board covering purchases, sales, and inventory of liquor as may be prescribed by the board.

#### (41) Suspension Notices, Posting of—Other Closing Notices Prohibited

Whenever the board shall suspend the license of any retail licensee, the board shall on the date the suspension becomes effective cause to be posted in a conspicuous place on or about the licensed premises a notice in a form to be prescribed by the board, and said notice shall state that the license or licenses have been suspended by order of the board because of a violation or violations of the Washington State Liquor Act or the regulations. No person shall, until after the suspension period has expired, remove, alter or in any way disturb said notice, nor shall any notice of any kind be placed in, or about the premises indicating that the same have been closed for any other reason. The board shall cause to be inspected regularly during the suspension period the premises for the purpose of determining whether the provisions of this regulation are being complied with, and any failure of compliance shall forthwith be reported to the board.

### TITLE XI—LIQUOR SALESMEN AND REPRESENTATIVES

(Effective March 2, 1949)

#### (131) Sales to Board—Registration of Agents

All persons, firms or corporations selling or intending to sell or offering for sale any liquor to the board shall register with the board upon forms prescribed by the board each salesman, agent and representative through whom such person, firm or corporation transacts or conducts its sales or makes its offers, and each such salesman, agent and representative shall obtain from the board a registration card.

The fee for such registration shall be \$25.00 each fiscal year for each

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applicant. Upon receipt of the registration form and fee the board shall issue to such salesman, agent or representative credentials in the form of a registration card authorizing him to conduct the purposes of his employment subject to the conditions imposed by the law and the regulations.

Upon termination of the employment of such salesman, agent or representative, his employer shall immediately notify the board and with such notice return to the board such credentials as may have been issued for such salesman, agent or representative.

#### (132) Salesmen—Prohibited Practices—Penalties

(a) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, shall solicit either in person, by mail or otherwise, any liquor vendor or employee of the board, except the purchasing agent thereof, for the purpose or with the intent of furthering the sale of a particular brand or brands of merchandise as against another brand or brands of merchandise.

(b) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall visit any state liquor store or agency except for the purpose of making a purchase in the usual manner, as any other customer, and such person shall not enter any warehouse, store or agency of the board for the purpose of sales promotion or to secure information regarding inventory or any other matter relating to sales.

(c) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall give or offer to any employee of the board any entertainment, gratuity or other consideration for the purpose of inducing or promoting the sale of merchandise.

(d) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, except the authorized agent of a licensed beer wholesaler, brewery or beer importer, or of a licensed domestic winery or domestic wine wholesaler, shall, directly or indirectly, by mail or otherwise, contact or solicit any retail licensee or any employee thereof for the purpose of promoting or inducing the sale of any liquor whatsoever nor grant, allow, pay or rebate, directly or indirectly, any cash or merchandise to any licensee to induce or promote the sale of liquor, including the payment of tips to licensees or their employees and the purchasing of drinks "for the house."

(e) Upon the infraction of any of the foregoing regulations by any salesman, agent or representative, the board may cancel the credentials issued to such salesman, agent or representative and may remove his company's products from the sales list of the board.

## WASHINGTON STATE LIQUOR CONTROL BOARD

# A Pamphlet

Containing Revisions to Rules and Regulations of the  
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EFFECTIVE MARCH 2, 1949

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Title XI—Liquor Salesmen and Representatives.

This is entirely new, consisting of regulations (131) and (132).

# **TITLE I--GENERAL--APPLICABLE TO ALL LICENSEES**

## **(1) License Does Not Grant Vested Right**

The issuance of any license by the board shall not be construed as granting a vested right in any of the privileges so conferred, and a misrepresentation of fact found to have been made by the applicant shall be deemed a lack of good faith and shall constitute good and sufficient cause for the disapproval of such application or the revocation or suspension of said license by the board.

## **(2) Display of Licenses**

All licenses (except certificates of approval and agent's licenses) shall be framed under glass and prominently displayed on the licensed premises.

## **(3) Prorating and Refunding of Fees--Discontinuance of Business**

(a) Unless otherwise provided by law, there will be no prorating of any license fee.

(b) Upon denial or withdrawal of an application for license, adoption or change of trade name, or change of location, the fee tendered therewith shall be returned.

(c) When a license is suspended or cancelled, or the licensed business is discontinued, no refund of the license fee shall be made.

(d) Upon discontinuance of business by a licensee, he shall forthwith deliver up his license to the board.

## **(4) Loss or Destruction of Licenses, Permits, Etc.--Fees**

Upon the loss or destruction of any license or permit to purchase liquor thereunder, application for a duplicate must be made to the board. Fees: license (except agent's), \$5.00; agent's license or registration, Class H purchase permit, and retailer's certificate of authority, \$1.00.

## **(5) Death or Incapacity of Licensee**

In the event of the incapacity, death, receivership, bankruptcy or assignment for benefit of creditors of any licensee, then his guardian, executor, administrator, receiver, trustee in bankruptcy or assignee for benefit of creditors may, upon written authority from the board, continue the business of the licensee on the licensed premises for the duration of the license, unless sooner terminated.

## **(6) Transfer of Licenses**

(a) No transfer of any license shall be made except in conformance with section 23-U, Washington State Liquor Act, and subject to the following conditions: (1) the holder of the license shall execute an assignment and transfer upon a form prescribed by the board, and the assignee and transferee shall then make application for approval of such assignment and transfer; (2) the transferee shall not take possession of the premises, nor exercise any of the privileges of a licensee, nor shall such assignment and transfer be effective until the board shall have approved the same; (3) in approving any assignment and transfer of licenses, the board reserves the right to impose special conditions as to the future connection of the former licensee or any of his employees with the licensed business as in its judgment the circumstances may justify; (4) a change of trade name may be made coincident with the transfer of the license without any additional fee.

(b) The sale of a partnership interest or any change in the partners, either by withdrawal or addition or otherwise, shall be considered an assignment and transfer of the licenses held by the partnership and subject to the regulations applicable to assignment and transfer of licenses.

(c) If the licensee is a corporation, a change in ownership of any stock shall not be deemed a transfer of a license: *Provided, however, That in the case of a change in ownership of a controlling number of shares of stock the board must be notified and its approval obtained.*

#### (7) Limitation on Transfers and Reapplications

(a) Except as provided herein, no application for transfer of any license shall be made for a period of ninety (90) days following the issuance or transfer of such license.

(b) This limitation shall not apply in any of the circumstances set forth in Regulation (5).

(c) In the event of the withdrawal of a partner, the license may be transferred to the remaining partner or partners within the prohibited period.

(d) No reapplication for a license shall be made within a period of ninety (90) days following a denial of such license.

#### (8) Change of Management

No change shall be made in the management or officers of any licensed business until written consent of the board has been obtained.

#### (9) Change of Name

No licensee shall adopt or make a change in a trade or corporate name without the written consent of the board. Fee, \$2.50. (See Regulation (5)-(a)-(4).)

#### (10) Change of Location

No change of location of licensed premises shall be made without the written consent of the board. Fee, \$5.00. This regulation, however, shall not apply to holders of licenses under sections 23-L and 23-S-3(4), Washington State Liquor Act.

#### (11) Licensed Premises Open for Reception--Sampling of Liquor

(a) All licensed premises, or any premises in any way connected physically or otherwise with a licensed business, including vehicles used in connection therewith, shall at all times be open to inspection by the board.

(b) The board may, upon proper receipts given therefor, take for the purpose of analysis samples of liquor possessed by any licensee by virtue of his license.

#### (12) No Liquor Deliveries on Sunday

No liquor shall be delivered to any retail licensee between midnight on Saturday and midnight on Sunday; nor shall any retail licensee receive or accept delivery of any liquor between midnight on Saturday and midnight on Sunday.

#### (13) Prohibited Practices--Contracts (Gifts--Rebates, Etc.)

(a) No contract shall be made or entered into whereby any retail licensee agrees to handle any particular brand or brands of liquor to the exclusion of any other brand or brands of liquor.

(b) No contract shall be made or entered into for the future delivery of liquor to any retail licensee: *Provided, That this regulation shall not be construed as prohibiting the placing and accepting of orders for the purchase and delivery of liquor which are made in accordance with the usual and common business practice and which are otherwise in compliance with the regulations.*

(c) No manufacturer, wholesaler, or importer, or his employee, shall, directly or indirectly, solicit, give or offer to, or receive from any retail licensee or any employee thereof any gifts, discounts, loans of money, premiums, rebates, free liquor of any kind, treats or services of any nature whatsoever; nor shall any retail licensee or employee thereof, directly or indirectly, solicit, receive from, or give or offer to any manufacturer, wholesaler or importer, or his employee, any gifts, discounts, loans of money, premiums, rebates, free liquor of any kind, treats or services of any nature whatsoever.

(d) No manufacturer, wholesaler or importer shall, directly or indirectly, give, furnish, rent or lend to, or receive from, any retail licensee any equipment, fixtures, supplies or property of any kind, nor shall any retail licensee, directly or indirectly, receive, lease or borrow from, or give or offer to, any manufacturer, wholesaler or importer any equipment, fixtures, supplies or property of any kind.

(e) No manufacturer or wholesaler shall sell to any retail licensee or solicit from any such licensee any order for any liquor tied in with, or contingent upon, the retailer's purchase of some other beverage, alcoholic or otherwise, or any other merchandise, property or service.

(f) In selling equipment, fixtures, supplies or commodities other than liquor, no manufacturer, wholesaler or importer shall grant to retail licensees, nor shall such licensees accept, more favorable credit terms or arrangements than those extended to nonlicensed retailers. The price thereof shall be in conformity with the open market price in the locality where sold and the terms of such sales shall not exceed those normally granted in accordance with the customary business practice of the particular trade in the locality where such sales are made. In no event shall time for payment be extended in excess of sixty (60) days from the date of any such sales to any retail licensee.

(g) Any manufacturer, wholesaler or importer who sells what is commonly referred to as heavy equipment and fixtures, such as counters, back bars, stools, chairs, tables, sinks, refrigerators or cooling boxes and similar articles, shall immediately after making any such sales to retail licensees forward to the board at Olympia a copy of the invoice covering each such sale, which invoice shall contain a complete description of the articles sold, the terms of the sale, the purchase price of each unit sold together with the total amount of the sale, the transportation costs and services rendered in connection with the installation of such articles.

(h) If the board finds in any instance that any licensee has violated this regulation, then all licensees involved shall be held equally responsible for such violation.

**Note:** Regulation (13), amending what was heretofore known as Regulation (18), is not intended to be a relaxation in any respect of section 90 of the Liquor Act. As a word of caution to persons desiring to avail themselves of the opportunity to sell to retail licensees fixtures,

shall remove the cap and pour the contents into a glass in full view of the customer, and shall display the bottle to the customer with the label affixed thereon. No licensed retailer shall sell near beer to, nor serve the same to, a customer unless the label be firmly affixed to the bottle at the time of such sale or service.

(e) No retail licensee shall sell, deliver, offer for sale, serve, or allow to be consumed on the premises any near beer except in accordance with Regulation (20).

## TITLE II—RETAIL LICENSEES

### (16) Uninterrupted View of Premises—Booths

(a) All licensed premises, except those holding E and F licenses only, shall be so constructed and arranged that there shall be kept at all times an open space sufficient to provide a clear, uninterrupted view of the interior of the premises from without: *Provided, however,* That in the case of Class H licensed premises, basement locations, and in locations above the street, then the premises shall be so constructed and arranged as to provide the maximum view of the interior of the premises from the entrance.

(b) No retail licensee shall conduct a licensed premises where booths are part of the equipment unless such booths are open at all times at one end so as to provide a clear view from without the same. Whenever there is new construction or major alterations affecting the booths, booths shall be of a maximum height of forty-two inches.

### (17) Dispensing Apparatus and Containers—Furnishing of Certain Devices

(a) No retail licensee shall draw any beer from any faucet, spigot or other dispensing apparatus unless the brand name of the beer drawn shall appear in legible lettering, visible from both the front and rear, upon such faucet, spigot or other dispensing apparatus.

Brewers and beer wholesalers may furnish "tap marking devices" to retail dispensers as hereinabove provided at a nominal value or cost to the brewer or beer wholesaler. Brewers and beer wholesalers may also furnish can and bottle openers to retail licensees at a nominal value or cost to the brewer or beer wholesaler: *Provided,* That said openers do not bear any brand name or the name of any beer manufacturer or wholesaler or liquor advertising of any kind.

(b) Every bottle or other container from which wine is sold by a retail licensee for consumption on the licensed premises shall be truly labeled with the brand name, type and manufacturer's name of said wine.

Wineries and wine wholesalers may furnish said labels to retail dispensers as hereinabove provided at a value or cost to the winery or wine wholesaler not to exceed forty cents each.

### (18) Sanitation, Equipment and Lighting

(a) Every retail licensee shall keep his premises and equipment in a clean, wholesome and sanitary condition.

(b) All cups, mugs, steins or glasses used for serving liquor must, after being used, be cleaned, washed and sterilized in the manner prescribed by the State Board of Health sanitation regulations. Any sterilizing process and chemical sterilizing agents used in connection therewith shall meet the re-

equipment and supplies subject to the conditions and restrictions provided in section 90 of the act and the foregoing regulation, notice is hereby given that, if at any time such privilege is abused or exploited once proves that as a matter of policy it should be further curtailed or eliminated completely, the board will be free to impose added restrictions or to limit all manufacturers and wholesalers solely to the sale of liquor when dealing with retail licensees. Regulation (13) shall not be considered as granting any vested right to any person, and persons who engage in the business of selling to retail licensees property or merchandise of any nature voluntarily assume the risk of being divested of that privilege without notice and they will undertake such business subject to this understanding.

### (14) Definitions

(a) "Pasteurized beer" shall mean beer which has been subjected to heat in sealed containers at such a temperature and for such period of pasteurization that in all cases all yeast cells or other micro-organisms present in the beer are killed or their vitality weakened to such an extent as to render them inactive, thereby preventing any further fermentation or decomposition of the packaged beer which might have otherwise taken place. Sterilization or partial sterilization by filtration, irradiation, chemical treatment or processes other than heat treatment are not to be construed as pasteurization.

(b) A "gallon," when used in computing any tax, shall mean the United States standard gallon of 231 cubic inches.

### (15) Near Beer

Within the meaning of this regulation, "near beer" means any beverage obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain or cereal in pure water not containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) of alcohol by volume.

No licensee of the board (including the holder of a certificate of approval) shall buy or sell, deal in, ship into the state, or in any manner merchandise any near beer for sale or consumption within the state unless:

(a) The package in which such near beer is contained (1) is dissimilar to any package used as a container for beer, and (2) bears a distinctive label showing the nature of the contents, the name of the person by whom the near beer is manufactured or brewed, and the place where the same was brewed. Such label shall further have printed thereon in bold-faced type the following words in the dimensions specified: "Near Beer" in letters not less than one-half inch high and "Alcohol content less than one-half of one per cent by volume" in letters not less than one-eighth inch high. No bottle or label shall be used until the same has been submitted to and approved by the board.

(b) All records and books of account showing purchases, sales or transactions in near beer shall be kept and maintained separate and independent from other accounts.

(c) All stocks of near beer shall be kept separate and independent from stocks of other merchandise, and under no condition shall be commingled with stocks of beer and/or wine.

(d) All licensed retailers in selling near beer shall sell the same only

quirements of the State Board of Health. (See Sanitation Regulations, State Board of Health, in Supplement.)

(c) All holders of retail licenses for the sale of any liquor for consumption on the premises shall provide in and about the parts of said premises which are open to and are used by the public, sufficient lighting so that all objects are plainly visible at all times, and all such parts of such premises shall be illuminated to a minimum of two foot-candles as measured by a foot-candle meter at a plane of thirty inches above the floor line.

**(19) Service Limited to License and Order—Room Service—Price List**

(a) No retail licensee shall possess or allow any person to consume any liquor other than that permitted by his license in or on the licensed premises, or on any public premises adjacent thereto which are under his control.

(b) No holder of a Class H license shall be permitted to hold any other class of retail license covering the premises so licensed. Upon the granting of a Class H license, all other classes of retail licenses which may be held by such new Class H licensee at that time at the premises to be so licensed must be surrendered to the board for cancellation.

(c) Hotel room service is included in on-premises licenses.

(d) No Class H licensee shall sell or serve any spirituous liquor other than ordered, or substitute a non-alcoholic beverage when an alcoholic beverage has been ordered. Such licensee shall display prices for all liquor either by posting a price list or by using menus listing such prices, or by both.

(e) No holder of a Class C license shall advertise for sale, nor sell, any mixed drink under the name of "Old Fashioned," "Whiskey Sour," "Singapore Sling," "Martini," "Manhattan," nor any other name which, by long and general usage, has become associated in the public mind as being the name of a mixed drink made from spirituous liquor, nor under any name which is so similar to the above prohibited names as to be readily confused therewith in the public mind. Nor shall any holder of a Class C license, in the mixing or compounding of any mixed drink, use any mixer or other substance whatsoever which contains any of the aromatic compounds and/or essential oils which give to any spirituous liquor its distinctive characteristics of aroma, bouquet and flavor. Nothing in this section shall prevent any holder of a Class C license from advertising for sale, mixing, compounding or preparing for sale, or selling, mixed drinks made from one or more wines with or without the prohibitions above, nor under a name which does not conflict with this section.

**(20) Closing Hours—Sunday Closing—Election Days**

No retail licensee shall sell, deliver, offer for sale, serve or allow to be consumed upon the licensed premises any liquor, nor permit the removal of any liquor from the licensed premises in any manner whatsoever, upon the day of any general, special or primary election of any state, county or municipal officers within the state, district, county or municipal corporation in which such election is held, and before the polls have closed, nor between the hours of twelve o'clock midnight on Saturday and six o'clock a. m. on the following Monday, nor upon any weekday between the hours of one o'clock a. m. and six o'clock a. m.: *Provided, however, That any municipality may fix earlier closing hours.*

**(21) Consumption While Standing—Curb Service Prohibited—Men To Be Seated at Tables**

(a) No retail licensee whose premises are open to the general public shall sell, supply or serve liquor to a person for consumption on the licensed retail premises, nor shall such licensee permit any person to consume liquor on such premises, unless such person is seated: *Provided, however, That upon the permission of the board first had and obtained, this regulation shall not apply in exceptional cases, such as fairs, picnics, and the like, nor in places of public exhibition. In all cases, curb service is prohibited.*

(b) No Class H licensee shall sell, supply or serve any liquor to any woman nor permit her to consume any liquor on the licensed premises unless she is seated at a table. The term "table" is used in accordance with the common and ordinary meaning and understanding of the word and includes booths but not counters or bars.

**(22) Minors—Employment**

No person under the age of 21 years shall be employed in any service in connection with the sale, handling or serving of any liquor, either on a paid or voluntary basis, in, on or about any establishment licensed to sell liquor for consumption on the premises. Nor shall any person under the age of 21 years be permitted to sell any beer or wine in, on or about any establishment holding a Class E or a Class F license.

**(23) Health Cards**

All retail licensees shall have on the licensed premises at all times health cards of all employees, which cards must be renewed as often as required by the State Board of Health.

**(24) Bottles—Re-Use, Tampering, and Destruction**

(a) No Class H licensee shall re-use, refill or tamper with any bottle of spirituous liquor, nor shall such licensee adulterate, dilute, fortify, or cause any substitution of any nature to be made in or to, the contents of any bottle of spirituous liquor.

(b) Every Class H licensee shall, at or before the beginning of each business day, cause to be destroyed every bottle which contained spirituous liquor and which was emptied during the preceding day. Suitable facilities for such destruction shall be provided at the licensed premises.

(c) No retail licensee shall refill a jug, bottle or other container with unpasteurized beer while such jug, bottle or other container bears the label or name of any brand of beer or of any brewer, wholesaler or bottler.

**(25) Sales for Cash—Treating and Merchandising Liquor—Amusement Devices**

(a) No retail licensee shall merchandise any liquor by means of punchboards, lotteries, bank night, amusement devices and skill games, or other similar schemes, devices or games, nor shall any retail licensee award or issue any prize, trade check or other medium which may be exchanged or redeemed for any liquor.

(b) No retail licensee shall install any amusement device or skill game without the consent of the board.



and such licensees shall permit any authorized inspector of the board to make such tests or analyses, by spirit hydrometer or otherwise, as the inspector deems proper. Such inspectors are authorized to seize as evidence any bottles and the contents thereof which they have determined have been re-used, refilled, tampered with, adulterated, diluted, fortified or substituted.

**(27) Conduct on Licensed Premises**

(a) No licensee shall be disorderly, boisterous or intoxicated on the licensed premises, or on any public premises adjacent thereto which are under his control, nor shall he permit any disorderly, boisterous or intoxicated person to be thereon; nor shall he use or allow the use of profane or vulgar language thereon.

(b) No employee, or licensee acting as a bartender or waiter, shall consume liquor of any kind while working on the licensed premises. (See Regulation (§ 20), Closing Hours.)

**(28) Revenue Stamps—Defacement**

(a) No retail licensee shall sell, remove, receive, purchase or possess or aid in the sale, removal, receipt, or purchase of beer or wine contained in any barrel, package or other container unless the proper revenue stamp has been properly affixed thereon, or upon which a false or fraudulent stamp is affixed, or upon which a stamp once cancelled is used a second time.

(b) No retail licensee shall withdraw or aid in the withdrawal of beer from any barrel, package, or other vessel, without defacing the stamp affixed thereto. In tapping every keg or barrel of draught beer, the faucet or tapping device through which the beer is to be drawn shall be inserted through the beer revenue stamp in such a manner as to deface the same; or, if the beer is to be drawn through the spigot hole or bung hole in the side of the keg or barrel, a faucet shall also be inserted through the stamp affixed at the head thereof only which covers the spigot hole or tapping bushing at the head of the keg or barrel.

**(29) Entertainment License Displayed**

Licensees holding license from local authorities permitting music, dancing or entertainment on licensed premises, as provided by section 27-A, Washington State Liquor Act, must keep such license prominently displayed on the licensed premises.

**(30) No Sale of Liquor to Minors, Indian Wards, Intoxicated Persons, Etc.**

No retail licensee shall give or otherwise supply liquor to any person under the age of 21 years, either for his own use or for the use of his parent or of any other person; or to any person apparently under the influence of liquor; or to any interdicted person (habitual drunkard); or to any Indian who is a ward of the government; nor shall any licensee or employee thereof permit any person under said age or in said condition or classification to consume liquor on his premises, or on any premises adjacent thereto and under his control, except where liquor is administered to such person by his physician or dentist for medicinal purposes.

(c) No retail licensee shall give or furnish free liquor to customers within the licensed premises through the custom commonly known as "treating" or "setting them up on the house."

(d) No establishment licensed to sell liquor for consumption on the premises shall sell or otherwise supply any liquor on credit to customers, and no such licensee nor his employee shall give, loan or otherwise advance any money to customers for the purchase of liquor from such licensee: *Provided*, That this section shall not apply to billing privileges extended by hotels and clubs to registered and bona fide guests or members.

(e) No Class II licensee whose premises are open to the public shall have or permit in any room or rooms wherein liquor is sold, served or consumed any game or mechanical device which is classified as a game or device of skill or amusement, including specifically, but not by way of limitation, punchboards, dice games, pinball machines, shuffleboards, baffleboards, electric football, baseball and hockey games, or any other similar game or device: *Provided*, That this regulation shall not apply to mechanical musical devices.

**(26) Liquor Purchases by Class II Licensees—Sealed and Unsealed Liquor**

(a) Any employee authorized by the board may sell spirituous liquor at a discount of fifteen per cent (15%) from the retail price fixed by the board to any Class II licensee upon presentation to such employee at the time of purchase of a special permit issued by the board to such licensee. The employee shall at the time of selling any spirituous liquor to a Class II licensee make a record of the serial number contained on the official Class H stamp affixed to every bottle of liquor so sold, together with the name of the Class II licensee making the purchase.

(b) There shall be affixed by the board to every bottle containing spirituous liquor sold by the board to any Class II licensee a stamp which shall bear the official seal adopted by the board and which shall be serially numbered. Such stamps shall be known as "Official Class H Stamps." Such stamps shall be attached to the original bottles containing spirituous liquor in such manner as the board deems proper and necessary.

(c) Every Class II licensee, upon purchasing any spirituous liquor from the board, shall immediately cause such liquor to be delivered to his licensed premises, and he shall not thereafter remove or permit to be removed from said premises any bottle containing such liquor, nor shall he dispose or allow to be disposed the liquor contained therein in any manner except as authorized by his license. The possession of any bottle bearing the official Class H stamp by any person other than the Class II licensee who purchased the same, or the possession thereof at any place which is not the licensed premises of the licensee who purchased such liquor, shall be prima facie evidence that the Class II licensee identified by the serial number on said stamp unlawfully permitted the removal thereof from his licensed premises.

(d) No Class II licensee shall keep in or on the licensed premises any spirituous liquor in any bottle or other container which has not been sealed with the official Class II stamp.

(e) No person, including anyone acting as the agent for another, other than a Class II licensee shall keep or possess any bottle containing spirituous liquor to which has been affixed the official Class H stamp.

(f) All spirituous liquor in and on the licensed premises shall be made available at all times for examination by the licensee for inspection by the board.



**(31) Liquor Permit Identification Card—Evidence of Age**

Licenses or their employees may accept as evidence of legal age for the service of liquor a liquor permit issued to the person presenting same, provided such person in addition properly completes a card in such form as may be prescribed by the board. Said card in the possession of a licensee, if properly completed and signed, may be offered as a defense in any hearing held by the board for serving liquor to the person who signed said card and may be considered by the board as evidence that the licensee acted in good faith. Such card shall be filed alphabetically by the licensee at or before the close of business on the day the same was executed, in a file box containing a suitable alphabetical index, and shall be made available for inspection and examination at all times by any young officer or representative of the board. (See Sec. 7306-19A to F, Rem. Sup. 1949, Appendix, page 59.)

**(32) Records—Purchases—Reports**

(a) The originals or copies of all sales slips, invoices and other memoranda covering all purchases of liquor by retail licensees shall be kept on file in the retail premises of the retail licensee purchasing the same for at least two years after each purchase, and shall be filed separately and kept apart from all other records, and as nearly as possible shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and checking. All cancelled checks, bank statements and books of account covering or involving the purchase of liquor, and all memoranda, if any, showing payment of money for liquor other than by check, shall be likewise preserved for two years and shall be at all times kept available for inspection and checking.

(b) No retail licensee shall buy or accept delivery of liquor except for cash paid at the time of the delivery thereof. *Provided*, That in individual and particular cases, upon consent of the board first had and obtained, in writing, a retail licensee may pay cash prior to delivery of liquor purchased: *And provided further*, That credit not to exceed thirty (30) days may be received by railroads holding licenses under sections 23-L and 23-S-4 of the Washington State Liquor Act.

(c) No retail licensee shall purchase beer from a beer wholesaler at a price differing from the price for the package or container of beer as shown in the price posting filed in accordance with section (49) of the regulations.

(d) No retail licensee shall purchase wine except from state liquor stores or from a duly licensed domestic wine wholesaler or a duly licensed domestic winery. No domestic wine shall be purchased from a domestic winery or a domestic wine wholesaler at a price differing from the price for the container of wine as shown in the price posting filed in accordance with section (81) of the regulations. No retail licensee may return wine to a wine wholesaler or to a domestic winery except in accordance with the provisions of section (83) of the regulations. (See Regulation (79.4.) Wine Stamps—Cancellation and Destruction.)

(e) All Class H licensees, in addition to the requirements of section (a) above, shall at all times (1) maintain a record of purchases of liquor, (2) maintain a record of sales of liquor by the drink, and (3) make such periodic reports to the board covering purchases, sales, and inventory of liquor as may be prescribed by the board.

**(33) Suspension Notices, Posting of—Other Closing Notices Prohibited**

Whenever the board shall suspend the license of any retail licensee, the board shall on the date the suspension becomes effective cause to be posted in a conspicuous place on or about the licensed premises a notice in a form to be prescribed by the board, and said notice shall state that the license or licenses have been suspended by order of the board because of a violation or violations of the Washington State Liquor Act or the regulations. No person shall, until after the suspension period has expired, remove, alter or in any way disturb said notice, nor shall any notice of any kind be placed in, or about the premises indicating that the same have been closed for any other reason. The board shall cause to be inspected regularly during the suspension period the premises for the purpose of determining whether the provisions of this regulation are being complied with, and any failure of compliance shall forthwith be reported to the board.

**(34) Alterations and Changes of Premises and Activities—Outside Storage**

(a) No business or activity shall be conducted upon any retail premises other than such as is being conducted thereon at the time the license is issued unless the written consent of the board is obtained. Any business or activity conducted upon the licensed premises shall be open to the general public. Licensed premises shall not be used as a means of ingress and/or egress to another business activity without the written consent of the board.

(b) No retail licensee holding an on-premises license shall make any alterations in the physical setup or arrangement of his premises without the written consent of the board.

(c) No retail licensee shall store liquor on any premises, other than the licensed premises, without the written consent of the board.

### TITLE III.—BREWERS, BEER WHOLESALERS, BEER IMPORTERS AND HOLDERS OF CERTIFICATE OF APPROVAL

**(37) Brewers—Monthly Reports**

Every person, firm or corporation, holding a license to manufacture malt liquors within the State of Washington, shall in addition to the statement required to be made by section 23-F (1) of the Washington State Liquor Act, make monthly reports to the board of monthly sales of beer in and out of the state upon forms to be furnished by the board.

**(38) Labels**

Every package containing beer intended for sale in the State of Washington shall bear a label in compliance with section 44 of the Washington State Liquor Act. In addition thereto, the maximum alcoholic content of such beer shall be shown thereon by weight only. Any statement of any minimum alcoholic content shall likewise be shown by weight. No label shall be used until after the same has been submitted to the Washington State Liquor Control Board and has been approved in writing by the board or its representative.

The alcoholic content requirements of this regulation shall not apply to cases or cartons containing packages of beer.

**(39) Packages—Classification**

No manufacturer, distributor or wholesaler shall, without permission of the board, adopt or use any packages or containers for beer differing in sizes and capacities from the following classification for taxing purposes, to-wit:

**(41) Out of State Revenue Stamps in Lieu of "Beer in Transit" Stamps**

Whenever packages or containers of beer are to be exported into another state the laws of which require the affixation of such state's beer revenue stamps to the outside of such packages or containers and the cancellation thereof prior to importation into such state, as evidenced by bills of lading covering such beer, no "beer in transit" stamps as defined and prescribed by these regulations shall be required: *Provided, however,* That beer so exported shall be considered as bearing "beer in transit" stamps in so far as the other applicable provisions of these regulations relating to such stamps are concerned and shall be subject in all other respects to the requirements governing the exportation of beer.

**(42) Beer Stamps—Proper Affixation**

In affixing the proper stamp to beer keg or barrel, the stamp shall be placed over the tapping bushing, so that in tapping each keg or barrel the faucet or tapping device through which the beer is to be drawn will be inserted through the stamp affixed to such barrel or keg in such manner as to deface the stamp; or, if the beer is to be drawn through the spigot hole or bung hole in the side of the keg or barrel, a faucet must also be inserted through the stamp so affixed at the head of the keg, or the stamp must be defaced by cutting away the portion thereof only which covers the spigot hole or tapping bushing at the head of the keg or barrel. The "beer in transit" stamp shall be cancelled, affixed, and defaced in like manner as the "beer revenue" stamp.

In affixing the proper stamp to case beer, one of the following methods shall be used:

- (1) If the case be of cardboard, the stamp shall be placed over the middle seam of the case, preferably with one-half of the stamp extending down over the end of the case, so that the stamp will be split three ways on opening the case.
- (2) If wooden or other case or container is used, the stamp shall be so affixed as to result in its destruction upon opening the case or container.

**(43) Beer Stamps—Cancellation**

All beer stamps shall be cancelled by legibly writing or stamping thereon with indelible ink, or perforating therein, the name or initials of the person cancelling the same and the date of cancellation.

**(44) Beer Wholesalers—Records—Preservation**

Beer wholesalers must keep beer accounts separate and independent from other accounts and must keep and maintain proper records in a form approved by the board, showing all transactions in beer, and must in the case of beer exported or beer sold, transferred or shipped to another wholesaler, preserve all bills of lading or other evidence of shipment for a period of two years after such exportation, and must in the case of sales to retailers preserve all sales slips and keep the same on file in the office of the wholesaler for at least two years after each sale.

**(45) Beer Wholesalers and Importers—Reports—Stamps**

- (a) All beer wholesalers and beer importers who during any month have received, handled or had on hand at the end of such month any beer received

Barrels—Whole barrels,  $\frac{1}{2}$  barrels,  $\frac{1}{4}$  barrels.

Packages—12 11-oz., 12 12-oz., 24 11-oz., 24 12-oz., 12 24-oz., 6 64-oz., 12 32-oz., 12 64-oz., 24 32-oz., 48 11-oz., 48 12-oz.

In ordering stamps, and in all reports to the board, the above enumerate designations of package or container sizes, and no others, shall be used.

**(40) Beer Stamps—General**

- (a) No beer wholesaler shall sell or deliver to retail licensees any beer unless the proper tax has been paid thereon as evidenced by proper "beer revenue" stamps properly affixed to the packages or containers and cancelled.

- (b) Beer intended for export may be exported direct by the brewer manufacturing the same and may be received (as provided in Regulation 56) and exported by beer importers, without the affixation of "beer revenue" stamps, provided proper "beer in transit" stamps are properly affixed to the outside of the packages or containers, and beer intended for export may be sold to, and received by, beer wholesalers for export without the affixation of "beer revenue" stamps, provided proper "beer in transit" stamps are properly affixed to the outside of the packages or containers.

- (c) Beer wholesalers may export beer upon which the taxes have been paid and the proper "beer revenue" stamps affixed to the packages or containers, but no refunds on account of the tax paid on such beer so exported shall be claimed nor any refunds made under the authorization of section 24-B of the Washington State Liquor Act, unless the consent of the board to such exportation has been first had and obtained.

- (d) Beer wholesalers, who maintain and operate bottling plants, may receive beer for bottling without the affixation of "beer revenue" stamps, provided proper "beer in transit" stamps are properly affixed to the outside of the packages or containers. In such cases the wholesaler bottling the beer shall be solely responsible for the payment of the tax on such beer and shall be solely responsible for the procurement from the board and the proper affixation and cancellation of proper "beer revenue" stamps or "beer in transit" stamps to the packages or containers before such beer so bottled shall leave the plant of such wholesaler. No such beer wholesaler shall avail himself of the privilege granted in this subsection except with the consent of the board first had and obtained.

- (e) "Beer revenue" stamps must be procured from the board in sufficient quantities and denominations so as to avoid delay to shipments. Orders for stamps must be accompanied by cash, post office money order or certified check. If order is to be forwarded by mail or registered mail, money or postage stamps to cover mailing thereof must also accompany order. Stamps may also be forwarded by express, collect, but when transmitted by express or by mail in any manner, it will be at the risk of the party ordering the same. In no case will any officer or employee of the board be permitted to carry stamps from the board's office to a manufacturer or warehouse.

- (f) Any licensee to whom stamps are furnished by the board shall be responsible for an accurate accounting for the usage of such stamps and shall not sell or otherwise dispose of the same, except by affixation to beer packages or containers before such beer leaves the premises of such licensee, or by return of the stamps to the board.

- (g) Under no circumstances shall unaffixed or loose stamps be acquired by a licensee except from the board direct.

by them v. "beer in transit" stamps only affixed to the package or container, and to which the brewer had not affixed "beer revenue" stamps, shall on or before the tenth day of the succeeding month furnish to the board a report, upon forms prescribed or furnished by the board, showing the disposition of all such "beer in transit" stamped beer, and if exported from the state, the name and address of the person to whom exported. Such report shall also show the number, type and size of all packages and containers respectively, and, if sold to licensees, shall show the facts as to the affixation of "beer revenue" stamps.

(b) All beer wholesalers and beer importers who during any month shall have procured "beer revenue" stamps from the board, or who shall have had "beer revenue" stamps on hand at any time during such month, shall on or before the tenth day of the succeeding month furnish to the board a report, upon forms prescribed or furnished by the board, showing the amount of "beer revenue" stamps on hand at the beginning of the month, the amount procured from the board during such month, and the amount on hand at the end of such month. Such report shall also show the disposition made during such month of any "beer revenue" stamps and the number, type, size and disposition of the packages or containers to which the same were affixed.

#### (46) Bad Order Claims

Bad order claims shall be made, adjusted and record thereof preserved as follows:

- (1) No bad order claim shall be allowed except by a brewer or beer importer;
- (2) No bad order claim shall be accepted unless the same shall be made by the retailer within ten days after the defect in the beer or container has been discovered;
- (3) No bad order claim shall be accepted unless the same is made by the retailer in quadruplicate upon forms furnished by the board;
- (4) After the claim has been made out in quadruplicate, one copy (blue) shall be torn from the book and retained by the retailer; one copy (yellow) shall be torn from the book and retained by the wholesaler in those cases where the wholesaler acts as agent of the brewer in accepting the claim; the original and one copy (pink) shall be torn from the book and forwarded to, or retained by, the brewer or beer importer for action upon the claim;
- (5) At the time of making the final adjustment of the claim, the brewer or beer importer shall mail to the board the pink copy, endorsing thereon the action taken by the brewer or beer importer, together with a certification that in his opinion the claim was valid to the amount allowed;
- (6) All adjustments of bad order claims shall be made by check issued by the brewer or beer importer and payable to the retailer, bearing the bad order claim number or numbers for which adjustment is made;
- (7) All documentary evidence relating to the claim shall be preserved by the retailer and brewer or beer importer for two years after the date of submission of the claim;
- (8) No brewer or beer importer shall allow, nor shall any retailer make claim for, a bad order claim unless the container or the beer is in fact defective.

#### (47) Sales to Vessels

Beer bearing proper stamps may be sold direct by beer wholesalers to:

- (1) Vessels engaged in foreign commerce and operating on regular schedules.
- (2) Vessels engaged in interstate commerce and operating on regular schedules.
- (3) Vessels commonly known as "tramps," engaged in interstate and/or foreign commerce but not operating on regular schedules and taking cargo when and where it offers and to any port.

Beer may not be sold direct by beer wholesalers to any other class of boat or vessel unless the boat or vessel is in possession of a proper retail license.

#### (48) Cash Sales—Exceptions

No beer wholesaler nor brewer or beer importer holding a beer wholesaler's license shall sell or deliver beer to any retailer except for cash paid at the time of the delivery thereof: *Provided*, That in individual and particular cases, upon consent of the board first had and obtained, in writing, cash may be paid prior to the delivery of beer sold to any retailer: *And provided further*, That credit not to exceed thirty (30) days may be extended to railroads holding licenses under sections 23-L and 23-S-8(4) of the Washington State Liquor Act.

#### (49) Beer Price Posting—Filing Contracts

(a) Price Posting. Within the meaning of this regulation, the term "zone" shall mean such "zones" as shall from time to time be fixed and adopted by the board as trade areas within and for which price postings shall be made and filed as in this regulation provided.

Every licensed brewer and every beer importer shall file with the board at its office in Olympia price postings showing the wholesale prices at which any and all brands of beer manufactured by such brewer or imported by such beer importer shall be sold in each and every zone, which prices shall be uniform for all retail licensees in any particular zone. All price postings shall be made upon forms prepared and furnished by the board and shall set forth:

- (1) All brands, types, packages and containers of beer offered for sale by such brewer or beer importer.
  - (2) The delivered sale prices thereof to retail licensees within each and every zone, including allowances, if any, for returned empty containers.
- No beer wholesaler shall sell or offer to sell any package or container of beer to any retail licensee at a price differing from the price for such package or container as shown in the price posting filed by the brewer manufacturing such beer or by the beer importer importing such beer and then in effect.

No price posting shall become effective until ten days after the actual filing thereof with the board.

No price postings involving quantity discounts shall be made.

(b) Filing Contracts. Every licensed brewer shall file with the board at its office in Olympia a copy of every written contract and a memorandum of every oral agreement which such brewer may have with any beer wholesaler handling beer manufactured by such licensed brewer, which contracts

**(53) Beer Importers—Certain Duties**

No beer importer shall import or transport or cause to be transported into the State of Washington any brand of beer manufactured within the United States but outside the State of Washington, unless such importer shall have first filed with the board a notice of his intention so to do, and shall have ascertained from the board that the brewer manufacturing such beer has obtained from the Washington State Liquor Control Board a certificate of approval as provided in section 23-F of the Washington State Liquor Act.

**(54) Beer Importers—Responsibility—Taxes—Stamps**

Each beer importer shall be finally responsible for the payment of any and all taxes due the State of Washington on account of any beer imported by him. No beer importer shall import any beer into the state unless and until proper stamps have been properly affixed to the packages or containers and properly cancelled by the brewer manufacturing such beer. Proper "beer revenue" stamps shall be properly affixed to all packages and containers of beer intended for sale to retail licensees. Beer intended for export may be imported with "beer in transit" stamps only properly affixed to the packages or containers. Beer importers desiring to import beer for export should notify the brewer manufacturing such beer of the quantity of beer intended for export so that such brewer may properly affix "beer in transit" stamps to the packages or containers intended for export. However, upon consent of the board first had and obtained, the proper affixation of the proper stamps may be made by some person other than the brewer manufacturing the beer under such rules as the board may from time to time prescribe, and the board reserves the right to make orders applicable to individual and particular cases in addition to general orders, rules and regulations applicable generally.

**(55) Foreign Beer**

Beer manufactured outside of the United States may be imported by a beer importer, but only under the following conditions: The beer importer importing such beer shall be at all times solely responsible for the payment of any and all taxes due the State of Washington on account of such beer and for the proper affixing of proper stamps. Such beer shall be imported and delivered directly to either the warehouse of the importer or to some other warehouse previously designated by the importer and approved by the board. As soon as possible, and not later than twenty-four hours after such beer has been delivered to such warehouse, the beer importer shall order from the board proper stamps, and shall, as soon as possible thereafter, properly affix such stamps. No beer shall be removed from such warehouse unless and until proper stamps shall have been so affixed. All matters pertaining to the importation, transportation, storage, payment of taxes and affixation of proper stamps, keeping of records, and all other matters pertaining to the importation of beer manufactured outside the United States shall be subject at all times to such orders, rules and regulations as the board may from time to time prescribe, and the board reserves the right to make orders applicable to individual and particular cases in addition to general orders, rules and regulations applicable generally.

or memorandums shall contain all terms of sale, including all regular and special discounts; all advertising, sales and trade allowances; all commissions, bonuses or gifts and any and all other discounts or allowances. Whenever changed or modified the changed or modified contracts or memorandums shall forthwith be filed with the board.

Every beer importer shall file with the board at its office in Olympia a copy of every written contract and a memorandum of every oral agreement which such importer may have with any out-of-state brewery whose beer such importer imports and with any beer wholesaler handling beer imported by such importer, which contracts or memorandums shall contain all terms of sale, including all regular and special discounts; all advertising, sales and trade allowances; all commissions, bonuses or gifts and any and all other discounts or allowances. Whenever changed or modified the changed or modified contracts or memorandums shall forthwith be filed with the board.

No licensed brewer shall sell beer manufactured by such brewer to any beer wholesaler until copies of such written contracts or memorandums of such oral agreements with such wholesaler are on file with the board.

No beer importer shall sell any beer imported by such importer to any person whatsoever until copies of such written contracts or memorandums of such oral agreements with the out-of-state brewer manufacturing such beer are on file with the board; nor shall any beer importer sell any beer imported by such importer to any beer wholesaler until copies of such written contracts or memorandums of such oral agreements with such beer wholesaler are on file with the board.

(c) All price postings, contracts and memorandums filed as required by this regulation shall at all times be open to inspection to all trade buyers within the State of Washington and shall not within any sense be considered confidential.

g (d) Any provision of this regulation may by order of the board be suspended or modified without notice to meet emergencies.

**(50) Beer Importers—Principal Office**

Each beer importer shall keep the board informed at all times of the location of the principal office required by section 23-G, subdivision (2) of the Washington State Liquor Act and shall, not less than two days prior thereto notify the board in writing or by telegraph of any change in the location of such office.

**(51) Beer Importers—Warehouses**

Beer importers maintaining warehouses at which beer imported by such importer is stored shall at all times keep the board advised of the location such warehouse.

**(52) Imported Beer—List Filed—Labels**

Each beer importer shall at all times keep on file with the board a showing all beers which such importer intends to import, which list shall contain the trade name of the beer, the name of the brewer, and the location the brewery at which such beer is manufactured. No beer shall be imported until duplicate copies of all beer labels intended to be used shall be submitted to and approved by the board or its accredited representative.

**(53) Beer Importers—Certain Duties**

No beer importer shall import or transport or cause to be transported into the State of Washington any brand of beer manufactured within the United States but outside the State of Washington, unless such importer shall have first filed with the board a notice of his intention so to do, and shall have ascertained from the board that the brewer manufacturing such beer has obtained from the Washington State Liquor Control Board a certificate of approval as provided in section 23-F of the Washington State Liquor Act.

**(54) Beer Importers—Responsibility—Taxes—Stamps**

Each beer importer shall be finally responsible for the payment of any and all taxes due the State of Washington on account of any beer imported by him. No beer importer shall import any beer into the state unless and until proper stamps have been properly affixed to the packages or containers and properly cancelled by the brewer manufacturing such beer. Proper "beer revenue" stamps shall be properly affixed to all packages and containers of beer intended for sale to retail licensees. Beer intended for export may be imported with "beer in transit" stamps only properly affixed to the packages or containers. Beer importers desiring to import beer for export should notify the brewer manufacturing such beer of the quantity of beer intended for export so that such brewer may properly affix "beer in transit" stamps to the packages or containers intended for export. However, upon consent of the board first had and obtained, the proper affixation of the proper stamps may be made by some person other than the brewer manufacturing the beer under such rules as the board may from time to time prescribe, and the board reserves the right to make orders applicable to individual and particular cases in addition to general orders, rules and regulations applicable generally.

**(55) Foreign Beer**

Beer manufactured outside of the United States may be imported by a beer importer, but only under the following conditions: The beer importer importing such beer shall be at all times solely responsible for the payment of any and all taxes due the State of Washington on account of such beer and for the proper affixing of proper stamps. Such beer shall be imported and delivered directly to either the warehouse of the importer or to some other warehouse previously designated by the importer and approved by the board. As soon as possible, and not later than twenty-four hours after such beer has been delivered to such warehouse, the beer importer shall order from the board proper stamps, and shall, as soon as possible thereafter, properly affix such stamps. No beer shall be removed from such warehouse unless and until proper stamps shall have been so affixed. All matters pertaining to the importation, transportation, storage, payment of taxes and affixation of proper stamps, keeping of records, and all other matters pertaining to the importation of beer manufactured outside the United States shall be subject at all times to such orders, rules and regulations as the board may from time to time prescribe, and the board reserves the right to make orders applicable to individual and particular cases in addition to general orders, rules and regulations applicable generally.

- (e) Preservatives: No wines shall contain preservatives such as Benzoic Acid, Salicylic Acid or Monochloroacetic Acid, or their derivatives.
- (f) Stability: All wines shall be free from precipitates, coloidal matter, metallic case, haze due to yeast, bacteria, tartrates, or other causes as determined by usual stability tests.

**(65) Fortifying Agent—Records**

(a) Domestic wineries may purchase from any holder of the fruit and/or wine distillery license provided in section 23-D of the Washington State Liquor Act, brandy or wine spirits manufactured or produced by such holder, and use the same as a fortifying agent in the manufacture or production of domestic wines. *Provided*, That a wine manufactured or produced from one kind of fruit or berry may not be fortified with brandy manufactured or produced from another kind of fruit or berry and all such brandy or wine spirits shall be manufactured or produced exclusively and entirely from such fruits or fruit products as are specified in Regulation (61); *And provided, further*, That such brandy or wine spirits so purchased shall be used exclusively and only for the purpose of fortifying domestic wines: *Provided, further*, That in those cases where the holder of a domestic winery license shall also hold such fruit and/or wine distillery license then, and in such cases, such domestic winery may use brandy or wine spirits manufactured or produced under such distillery license as a fortifying agent in the manufacture or production of domestic wine by such holder of the domestic winery license: *Provided*, That any and all brandy or wine spirits so used shall have been manufactured or produced exclusively and entirely from such fruits or fruit products as are specified in Regulation (61).

(b) Any domestic winery using brandy or wine spirits as a fortifying agent, as provided in subdivision (a) of this regulation, shall make and file with the board, not later than the tenth day of each month, upon forms prescribed and furnished by the board, a report showing all transactions of such domestic winery in the purchase and/or use of brandy or wine spirits as a fortifying agent, as provided in subdivision (a) of this regulation, and shall retain one copy of such report in its own files, and shall keep and preserve for a period of not less than two years any bills of lading or other documents supporting such report.

**(66) Containers—Sizes and Types Permitted**

All domestic wine sold by a domestic winery for consumption in the state shall be sold in bottles or glass containers of the following sizes: One-tenth gallon, one-eighth gallon, one-fifth gallon, one-fourth gallon, one-half gallon, and one gallon; and also in 12-oz. and 24-oz. round bottles.

No domestic winery or domestic wine wholesaler shall, without permission of the board, adopt or use any cases for wine differing in sizes and capacities from the following classification for taxation purposes, to-wit: 24 1/10 gal., 24 1/4 gal., 12 1/2 gal., 12 1/4 gal., 12 1/4 gal., 6 1/2 gal., and 4 1 gal.; and also 24 12-oz., 12 12-oz., and 12 24-oz. round bottles.

In ordering stamps and in all reports to the board the above enumerated designations of case sizes, and no others, shall be used.

cially saleable fruits, free from any visible spray residue, which fruits may be either fresh or frozen and must have been grown exclusively and entirely within the State of Washington. Such wine may also be manufactured or produced from fruit products consisting of juices and/or concentrates derived from fruits as herein specified, and such juices and/or concentrates shall have been manufactured and produced wholly and entirely on and within an approved and bonded winery premises, as herein provided.

#### (62) Formula Filed With Board

Whenever a statement of formula and process is to be filed under Federal regulations a similar statement shall also be filed with the board by the domestic winery manufacturing wine in accordance therewith before any such wine may be sold in the State of Washington.

#### (63) Alcoholic Content

No domestic wine shall exceed twenty and eighty-seven hundredths per cent (20.87%) of alcohol by volume at 60 degrees Fahrenheit, calculated from the distillate. The alcoholic content shall be within one per cent (1%) plus or minus of the label claim. In the event a maximum range of two per cent (2%) is stated on the label the alcoholic content must be within the stated range.

#### (64) Quality Standards

All domestic wines of the types and classes hereinafter set forth sold in the State of Washington shall meet the following requirements:

##### 1. Acid Content:

- (a) Volatile Acids:
  - (1) Red Table Wines.....Not over 0.11%, exclusive of sulfurdioxide, calculated as acetic acid.
  - (2) All other wines.....Not over 0.10%, exclusive of sulfurdioxide, calculated as acetic acid.

##### (b) Fixed Acids:

- (1) Grape Wine:
  - Table Wine.....Not less than 0.4 % calculated as tartaric acid.
  - Dessert Wine.....Not less than 0.25% calculated as tartaric acid.
- (2) Apple Wine.....Not less than 0.25% calculated as tartaric acid.
- (3) Fruit Wine.....Not less than 0.5 % calculated as tartaric acid.
- (4) Berry Wine.....Not less than 0.5 % calculated as tartaric acid.
- (c) Balling:
  - (1) Port Wine.....Minimum of 4½ Balling at 20 degrees centigrade; after March 1, 1951, minimum of 6 Balling at 20 degrees centigrade.
  - (2) White Port Wine.....Minimum of 4½ Balling at 20 degrees centigrade; after March 1, 1951, minimum of 6 Balling at 20 degrees centigrade.
  - (3) Muscatel Wine.....Minimum of 4½ Balling at 20 degrees centigrade; after March 1, 1951, minimum of 6 Balling at 20 degrees centigrade.
  - (4) Tokay Wine.....Minimum of 5 Balling at 20 degrees centigrade.
  - (5) Dry Sherry Wine.....Under 0.5 Balling at 20 degrees centigrade.
  - (6) Sherry Wine .....Above 0.5 and under 3 Balling at 20 degrees centigrade.
  - (7) Sweet Sherry Wine.....Above 3 Balling at 20 degrees centigrade.
- (d) Sulfur Dioxide: Maximum of 250 parts per million total.

#### (56) Holders of Certificates of Approval

Each brewer holding a certificate of approval shall properly affix proper stamps on all beer sold to beer importers. "Beer revenue" stamps and "beer in transit" stamps shall be purchased by such brewer direct from the Washington State Liquor Control Board. "Beer revenue" stamps shall be properly affixed to all packages or containers containing beer sold and shipped to beer importers within the State of Washington, unless the beer importer to whom the beer is to be shipped shall have directed otherwise as herein provided. In those cases where the beer importer orders beer for export and requests that such beer be stamped with "beer in transit" stamps only, then the beer may be shipped, provided proper "beer in transit" stamps are properly affixed to the packages or containers. As a part of the reports required by section 23-1 of the Washington State Liquor Act and by the written agreement embodied in the application for certificate of approval, each brewer holding a certificate of approval shall make report as follows: (1) Such report shall show the quantity of beer sold or delivered to each licensed beer importer during the preceding month, together with the number, type and size of the packages or containers respectively; (2) a statement showing the respective amount of stamps affixed to the respective packages or containers, whether "beer revenue" stamps or "beer in transit" stamps; (3) the stamp inventory and changes therein during the preceding month; (4) all reports shall be made upon forms prescribed and furnished by the Washington State Liquor Control Board.

#### TITLE IV.—DOMESTIC WINERIES AND DOMESTIC WINE WHOLESALESALES

##### (59) Eligibility

No domestic winery license shall be issued to any person, firm or corporation holding a license under subdivision 2, section 23-C, of the Washington State Liquor Act.

##### (60) Sanitation

Domestic winery premises shall be constructed, kept and maintained in a clean and sanitary condition, and in accordance with such rules and regulations as shall be prescribed by the State Department of Agriculture through the Division of Foods, Feeds, Drugs and Oils, for the sanitation thereof and applicable to the sanitation of such winery premises; and no license shall be issued to a domestic winery until the same has been approved as to sanitation by the Supervisor of Foods, Feeds, Drugs and Oils of the Department of Agriculture of the State of Washington.

##### (61) Premises—Domestic Wine Refined

- (a) No product shall be sold as domestic wine unless every part and portion of the manufacture or production thereof was had or done on and within an approved bonded winery premises, established under Federal law and/or regulations: *Provided, however*, That nothing herein contained shall prevent the sale of domestic wines fortified on approved bonded winery premises in accordance with Federal and state law and/or regulations with fruit brandy or wine spirits.
- (b) The term "domestic wine" shall mean wine which is the product of the normal alcoholic fermentation of clean, sound, whole, ripe and com-



- (e) Preservatives: No wines shall contain preservatives such as Benzoic Acid, Salicylic Acid or Monochloroacetic Acid, or their derivatives.
- (f) Stability: All wines shall be free from precipitates, colloidal matter, metallic cases, haze due to yeast, bacteria, tartrates, or other causes as determined by usual stability tests.

#### (65) Fortifying Agent—Records

(a) Domestic wineries may purchase from any holder of the fruit and/or wine distillery license provided in section 23-D of the Washington State Liquor Act, brandy or wine spirits manufactured or produced by such holder, and use the same as a fortifying agent in the manufacture or production of domestic wines: *Provided*, That a wine manufactured or produced from one kind of fruit or berry may not be fortified with brandy manufactured or produced from another kind of fruit or berry and all such brandy or wine spirits shall be manufactured or produced exclusively and entirely from such fruits or fruit products as are specified in Regulation (61); *And provided, further*, That such brandy or wine spirits so purchased shall be used exclusively and only for the purpose of fortifying domestic wines: *Provided, further*, That in those cases where the holder of a domestic winery license shall also hold such fruit and/or wine distillery license then, and in such cases, such domestic winery may use brandy or wine spirits manufactured or produced under such distillery license as a fortifying agent in the manufacture or production of domestic wine by such holder of the domestic winery license: *Provided*, That any and all brandy or wine spirits so used shall have been manufactured or produced exclusively and entirely from such fruits or fruit products as are specified in Regulation (61).

(b) Any domestic winery using brandy or wine spirits as a fortifying agent, as provided in subdivision (a) of this regulation, shall make and file with the board, not later than the tenth day of each month, upon forms prescribed and furnished by the board, a report showing all transactions of such domestic winery in the purchase and/or use of brandy or wine spirits as a fortifying agent, as provided in subdivision (a) of this regulation, and shall retain one copy of such report in its own files, and shall keep and preserve for a period of not less than two years any bills of lading or other documents supporting such report.

#### (66) Containers—Sizes and Types Permitted

All domestic wine sold by a domestic winery for consumption in the state shall be sold in bottles or glass containers of the following sizes: One-tenth gallon, one-eighth gallon, one-fifth gallon, one-fourth gallon, one-half gallon, and one gallon; and also in 12-oz. and 24-oz. round bottles.

No domestic winery or domestic wine wholesaler shall, without permission of the board, adopt or use any cases for wine differing in sizes and capacities from the following classification for taxation purposes, to-wit: 24 1/10 gal., 24 1/8 gal., 12 1/8 gal., 12 1/2 gal., 12 1/4 gal., 6 1/2 gal., and 4 1/2 gal.; and also 24 12-oz., 12 12-oz., and 12 24-oz. round bottles.

In ordering stamps and in all reports to the board the above enumerated designations of case sizes, and no others, shall be used.

#### (67) Domestic Wine Labels

Every bottle or glass container of domestic wine intended for sale within the State of Washington shall bear a label in compliance with section 45 of the Washington State Liquor Act. Such label shall show:

- The brand name of the wine.
- Class, type or other designation.
- The name and address of the bottler, which shall be stated as follows: "Bottled by \_\_\_\_\_" Where a bottler has made not less than 75% of the wine in a particular bottle or glass container by crushing the grapes or other materials, fermenting the must and clarifying the resulting wine, there may be stated in lieu of the words "bottled by" the words "manufactured and bottled by" or "produced and bottled by." In addition to the name and address of the bottler, but not in lieu thereof, there may be stated, the name and address of the manufacturer or producer.
- The alcoholic content of the wine by volume, stated as provided in either (1) or (2) below:
  - "Alcohol.....% by volume."
  - "Alcohol.....% to .....% by volume."

(e) The net contents of the bottle or glass container: *Provided*, That the net contents need not be stated on any label if the net contents are displayed by having the same blown or branded in the bottle or glass container on the same side of the bottle or glass container as the brand label, in letters or figures in such manner as to be plainly legible under ordinary circumstances, and such statement is not obscured in any manner in whole or in part.

No label shall be used until after the same has been submitted to, and has received a written approval of, the board. (See Regulation (63).)

#### (68) Domestic Wineries—Responsibility for Fruits Used—Records

Every domestic winery shall be responsible for the place of origin of all fruits or fruit products used by such winery in the manufacture or production of domestic wine, regardless of how such fruits or fruit products are obtained by such domestic winery. Every domestic winery shall keep proper records in a form approved by the board showing the place of origin of all fruits and fruit products used by such winery in the manufacture of domestic wine, which records shall be kept at the office of such winery and available at all times for inspection by the board.

#### (69) Stamps—Affixation Before Removal of Wine From Winery

(a) No domestic wine shall be removed or transported from the domestic winery at which the same was manufactured or produced for any purpose whatsoever without the proper stamps being firmly affixed as follows: (1) either "wine revenue" stamps firmly affixed to the outside of the case; or, (2) "wine in transit" stamps firmly affixed to the outside of the case.

(b) No domestic wine wholesaler shall receive from a domestic winery or from another domestic wine wholesaler any domestic wine unless the cases shall have the proper stamps firmly affixed as provided in subdivision (a) of this regulation.

#### (70) Procurement of Stamps

Holders of domestic wineries' licenses only will be permitted to procure "wine revenue" stamps or "wine in transit" stamps from the board. The



(c) Prepare proper documents showing the place from which the wine is shipped, the destination, the purpose of the shipment, the number, kind and capacity of the packages, cases or containers in the shipment, and such other information as the board may require, which documents must accompany the shipment and be at all times during such shipment in possession of the person immediately in charge of transporting such shipment.

#### (75) Domestic Wine Records—Preservation

(a) Every domestic winery and domestic wine wholesaler shall keep domestic wine accounts separate from other accounts, and keep and maintain proper records in a form approved by the board showing all transactions in domestic wine.

(b) Every domestic winery and domestic wine wholesaler shall, in the case of sales of domestic wine within the state keep and preserve all invoices, bills of lading, sales slips, and other evidence of sale, in the office of the domestic winery or domestic wine wholesaler for at least two years after each sale.

(c) Every domestic winery and domestic wine wholesaler shall, in the case of domestic wine exported from the state, keep and preserve all bills of lading and other evidence of shipment in the office of the domestic winery or domestic wine wholesaler for at least two years after each shipment.

(d) In the case of sales, transfers or shipments of domestic wine between a domestic winery and a domestic wine wholesaler, or between two domestic wineries, or between two domestic wine wholesalers, both the shipping and receiving domestic winery and domestic wine wholesaler, as the case may be, shall keep and preserve all invoices, bills of lading, sales slips, and other evidence of sale, transfer or shipment in their respective offices for at least two years after each sale, transfer or shipment.

#### (76) Domestic Wineries—Monthly Reports

Every domestic winery shall, within ten days after the close of each month, furnish to the board, upon forms prescribed and furnished by the board, a statement showing its past month's operations and such other information as the board may require.

#### (77) Cash Sales—Exceptions

No domestic winery nor domestic wine wholesaler shall sell or deliver any domestic wine within the state except for cash paid at the time of the delivery of such domestic wine: *Provided*, That in individual and particular cases, upon consent of the board first had and obtained, in writing, cash may be paid prior to the delivery of domestic wine sold to any retailer: *And provided further*, That credit not to exceed thirty (30) days may be extended to railroads holding licenses under sections 23-L and 23-S-3(4) of the Washington State Liquor Act.

#### (78) Domestic Wine Wholesalers—Certain Rights Granted

Domestic wine wholesalers may sell and export domestic wine from the state, and one domestic wine wholesaler may purchase domestic wine from, or sell domestic wine to, another domestic wine wholesaler.

#### (79) Wine Stamps—Cancellation and Destruction

(a) Stamps denoting the payment of tax on domestic wine must be cancelled prior to the delivery of the package or container containing the wine

exchange, sale or purchase of "wine revenue" stamps or "wine in transit" stamps, other than through the board is hereby prohibited. Orders for stamps must be accompanied by cash, post office money order, or certified check. If order is to be forwarded by mail or registered mail, money or postage stamps to cover mailing thereof must also accompany order. Stamps may also be ordered by express collect. When stamps are transmitted either by express, by mail, or in any other manner, it will be at the risk of the party ordering the same. In no case will any officer or employee of the board be permitted to carry stamps from the board's office to a domestic winery.

#### (71) Wine Revenue Stamps—When Necessary

No domestic wine intended for sale within the state shall leave the domestic winery at which same was manufactured, produced or bottled unless the case containing such wine shall bear the proper "wine revenue" stamps affixed to the outside of the case.

#### (72) Case Lot Sales

No domestic winery shall sell or otherwise deliver domestic wine to a domestic wine wholesaler except in whole case lots, nor shall any domestic wine wholesaler receive from any domestic winery domestic wine except in whole case lots.

#### (73) Exportation Wine—Sales to Vessels—Proper Stamps

(a) Domestic wine intended for export may be exported direct by the domestic winery manufacturing or producing the same, or sold and shipped by such domestic winery to a domestic wine wholesaler, without the affixation of "wine revenue" stamps, provided proper "wine in transit" stamps are properly affixed to the outside of the cases in such manner as the board shall prescribe.

(b) Domestic wine bearing proper stamps may be sold direct by domestic wineries and domestic wine wholesalers to:

(1) Vessels engaged in foreign commerce and operating on regular schedules.

(2) Vessels engaged in interstate commerce and operating on regular schedules.

(3) Vessels commonly known as "tramps," engaged in interstate and/or foreign commerce but not operating on regular schedules and taking cargo when and where it offers and to any port.

Domestic wine may not be sold direct by domestic wineries and domestic wine wholesalers to any other class of boat or vessel unless the boat or vessel is in possession of a proper retail license.

#### (74) Intervinery Shipments—Procedure

In all cases where domestic wine is sold by one domestic winery to another domestic winery, the selling winery shall:

(a) Give written notice of the proposed sale to the board, which notice shall be in such form as may be prescribed by the board, and shall be given at such time as will enable the board to make an analysis of the wine to be sold and give written approval of such sale before consummation of the sale.

(b) Affix proper "wine in transit" stamps to the outside of the packages, cases or containers in which shipment is to be made.

to the purchaser, as provided in section 24-A of the Washington State Liquor Act, by legibly writing or stamping thereon with indelible ink, or perforating therein, the name or initials of the person cancelling the same and the date of cancellation.

(b) "Wine in transit" stamps shall be cancelled in the same manner before the package or container containing domestic wine is removed or transported from the domestic winery at which the same was manufactured or produced.

(c) Every person who empties any receptacle to which "wine revenue" stamps are attached shall destroy such stamps by scraping or otherwise obliterating the stamps so that the same cannot thereafter be used, immediately the receptacles to which they are attached are emptied.

#### (80) Domestic Wine Wholesalers—Reports—Stamps

All domestic wine wholesalers who during any month have received, handled or had on hand at the end of such month any domestic wine received by them with "wine in transit" stamps only affixed to the cases, shall, on or before the tenth day of the succeeding month, furnish to the board a report upon forms prescribed or furnished by the board showing the disposition of all such "wine in transit" stamped domestic wine, and if exported from the state, the name and address of the person to whom exported. Such report shall also show the number, type and size of all cases respectively, and if sold to licensees, shall show the facts as to the affixation of "wine revenue" stamps.

#### (81) Wine Price Posting

Every domestic winery shall file with the board at its office in Olympia a "wine price posting" showing the delivered prices at which any and all brands of wine offered for sale by such domestic winery shall be sold within the state, which prices shall be uniform for all retailers within the state. All price postings shall be made upon forms prescribed and furnished by the board and shall set forth:

(a) All brands, types and sizes of bottles or glass containers of wine offered for sale by such domestic winery, which bottles or glass containers shall be limited to the sizes permitted in Regulation (86).

(b) The delivered sale prices thereof within the state, including allowances, if any, for returned empty bottles or glass containers.

No domestic winery nor domestic wine wholesaler shall sell or offer for sale any bottle or glass container of domestic wine at a price differing from the price for such bottle or glass container of domestic wine as shown in the price posting then in effect filed by the domestic winery whose label appears on such bottle or glass container.

No price posting shall become effective until ten days after the actual filing thereof with the board.

No price posting involving quantity discounts shall be made.

All price postings filed as required by this regulation shall at all times be open to inspection to all trade buyers within the State of Washington and shall not in any sense be considered confidential.

Any provision of this regulation may by order of the board be suspended or modified without notice to meet emergencies.

#### (82) Contracts—Domestic Wineries—Wholesalers—Must Be Filled

Every domestic winery shall file with the board at its office in Olympia a copy of every written contract and a memorandum of every oral agreement which such domestic winery may have with any domestic wine wholesaler relating in any way to the sale, transfer or delivery of wine by such domestic winery to such domestic wine wholesaler. Such written contracts and memorandums of oral agreements so filed with the board shall cover all the following matters relating to the sale, transfer or delivery of domestic wine by such domestic winery to such domestic wine wholesaler, namely: All terms of sale, including sale price by brand, type and size of bottle or glass container; all freight allowances, trade allowances, sales allowances, and advertising allowances; all regular and special discounts; any other discounts or allowances whatsoever; all commissions, bonuses or gifts; and any other arrangement whatsoever under which such domestic winery may sell, transfer or deliver domestic wine to such domestic wine wholesaler, including cash sales or otherwise.

Such filing of such contracts or memorandums shall be made within five days after the first delivery of domestic wine by the domestic winery to the domestic wine wholesaler. Whenever the written contract or oral agreement is changed or modified, a copy of the changed or modified written contract or a memorandum of the changed or modified oral agreement shall forthwith be filed with the board.

All contracts and memorandums filed as required by this regulation shall at all times be open to inspection to all trade buyers within the State of Washington and shall not in any sense be considered confidential.

#### (83) Return of Wine by Retailer—Replacement—Conditions

No domestic wine shall be returned by any retail licensee to any domestic wine wholesaler or domestic winery except as herein provided.

1. Wine which is not in a salable condition and which requires reconditioning may be returned by a retail licensee to the domestic wine wholesaler from whom purchased, or the winery if purchased direct, provided it is immediately replaced by the domestic wine wholesaler or winery with a like quantity, type and brand of wine.

(a) Every domestic wine wholesaler shall, within ten days after the close of each month, furnish to the board, upon forms prescribed and furnished by the board, an inventory of unsalable wine returned to such wholesaler by any retail licensee.

(b) Such unsalable wine which requires reconditioning shall be returned by the wine wholesaler to the winery which manufactured or produced the same. When wine which has been returned to a domestic winery by any person for reconditioning has been assembled at the winery a complete inventory in duplicate of unsalable wine shall be filed with the board by the winery with a request that inspection be made of the returned wine before reconditioning process is started.

(c) Except as provided herein, no other adjustment, by way of a cash refund or otherwise, shall be made by the winery or wine wholesaler.

2. Wine may be returned by a retail licensee to the domestic wine wholesaler selling such wine or to the domestic winery manufacturing or producing the same in the event the retailer goes out of the business of selling wine at retail, and in such case a cash refund may be made upon return of the wine, provided that written consent of the board is first had and obtained.

this regulation: *Provided, however, That this regulation shall not apply to importations of beer by the holder of a beer importer's license made under such license, nor to importations of alcohol, malt and other materials containing alcohol made by a manufacturer under the special permit authorized by section 12, subdivision (d) of the Washington State Liquor Act, nor to importations of wine for sacramental purposes made under section 13, subdivision 3 of the Washington State Liquor Act.*

**(90) Importation by Licensed Liquor Importer**

Liquor imported by the holder of a liquor importer's license may be transferred direct from the importing carrier to an exporting carrier if the consent of the board is first obtained.

**(91) Principal Office—Record**

Each liquor importer shall establish and maintain a principal office within the state at which shall be kept full and complete records of all importations, storage, removals, and exportations of liquor, such records to be kept in such manner and in such form as the board shall from time to time prescribe. Each liquor importer shall keep the board informed at all times of the location of such principal office.

**(92) Customs Bonded Locker**

Any public storage warehouse, having a Customs Bonded Locker, and which wishes to accept liquor, except beer or sacramental wine, for storage must furnish to the Washington State Liquor Control Board a bond in the penal sum of not less than five thousand dollars (\$5,000.00) in form prescribed by the board, conditioned upon faithful performance and compliance with the Washington State Liquor Act and rules and regulations thereunder, and shall apply for a permit so to do.

**(93) Public Storage Warehouses**

No public storage warehouse shall receive or store or otherwise handle any liquor, except beer or sacramental wine, without first obtaining from the Washington State Liquor Control Board a permit so to do.

**(94) Storage of Liquor**

No public storage warehouse shall accept or store any liquor, except beer or sacramental wine, except upon the order of a licensed liquor importer or the Washington State Liquor Control Board.

**(95) Permit for Private Liquor Storage Warehouse**

Any holder of a liquor importer's license, who maintains a storage warehouse exclusively for the storage of goods, wares or merchandise belonging to such holder, and who desires to store liquor imported under such liquor importer's license, shall apply to the board for a permit so to do. Such permit shall be granted only upon such terms and conditions as the board shall from time to time prescribe. If such permit be granted, such warehouse shall thereafter be known as a private liquor storage warehouse.

**(96) Liquor Shall Be Stored in Original Packages**

No shipments of liquor, except beer or sacramental wine, shall be accepted or stored in a private or public storage warehouse except in original packages.

**TITLE V.—FRUIT DISTILLERS**

**(84) Records**

All fruit distillers, whether operating under the general distiller's license or under the fifty dollar license, provided in section 23-D, Washington State Liquor Act, and who manufacture brandy or wine spirits intended for use by domestic wineries for fortification purposes, must keep separate and apart from any other records kept or required to be kept and maintained, separate records on forms approved by the board and so as to sufficiently identify the brandy or wine spirits so manufactured for such purpose as having been manufactured entirely from Washington grown products, and shall preserve supporting bills of lading or other documentary evidence to substantiate the fact that such brandy or wine spirits were so manufactured exclusively from Washington grown products.

**TITLE VI.—RECTIFIERS**

**(85) Applicants—Federal Permit Required**

No manufacturer's (rectifier's) license shall be issued, until satisfactory evidence is furnished the board that the applicant holds all permits or authorization required by the Federal government.

**(86) Duplicate Records Furnished Board**

Duplicate copies of monthly returns, transcripts, notices or other data, as required by the Federal government, must be furnished the board not later than the tenth of each month. In addition thereto, such rectifiers shall furnish the board duplicate copies of the bills of lading, covering all shipments of the products of the license.

**(87) Adoption Federal Laws**

All laws and rules and regulations of the Federal government, or any subsequent modification thereof, applicable to the rectification of distilled spirits, wines, cordials, liquors, etc., are by reference hereby adopted and promulgated as the rules and regulations of this board.

**TITLE VII.—LIQUOR IMPORTERS, PUBLIC STORAGE WAREHOUSES AND IMPORTATION OF LIQUOR**

**(88) Sales Between Liquor Importers**

One licensed liquor importer may sell to, or purchase from, or exchange with, another licensed importer, intoxicating liquor for purposes of export only.

**(89) Liquor Importation—General**

No liquor shall be imported into this state unless such liquor be consigned to the Washington State Liquor Control Board; or unless such liquor be consigned to a holder of a liquor importer's license and delivered at a public storage warehouse authorized by the Washington State Liquor Control Board to store liquor, or at the warehouse of the holder of the liquor importer's license in those cases where the board has authorized storage at such warehouse. No carrier shall accept or deliver liquor except in accordance with

**(97) Removal of Liquor**

No liquor (except beer and sacramental wine) shall be removed from any storage warehouse, either public or private, except for sale and delivery to the board or for export from the state, or for delivery to persons, firms or corporations holding manufacturer's importation permits authorized by section 12, subdivision (d) of the Washington State Liquor Act: *Provided, however*, That liquor may be removed from an authorized private liquor storage warehouse to a public storage warehouse, or may be removed from one authorized public storage warehouse to another authorized public storage warehouse, or may be removed from an authorized public storage warehouse to the authorized private liquor storage warehouse of the owner of the liquor. Liquor importers may remove liquor for sample purposes only, but only after permission thereto has been specifically granted by the board or its accredited representatives. Any and all removals of liquor must be made in full compliance with the Washington State Liquor Act, and the rules and regulations of the board.

**(98) Release of Liquor**

No public storage warehouse shall release any liquor, except beer or sacramental wine, for delivery to any one other than the Washington State Liquor Control Board or for shipment to a consignee outside the State of Washington, or for delivery to another authorized public storage warehouse, or to the authorized private liquor storage warehouse of the owner of the liquor, or to persons, firms or corporations holding manufacturer's importation permits authorized by section 12, subdivision (d) of the Washington State Liquor Act: *Provided, however*, That liquor may be delivered to liquor importers for sample purposes under such conditions as the board may from time to time prescribe, and may be delivered to holders of liquor importer's licenses for export under section 38 of these regulations.

**(99) Perpetual Inventory—Copy to Board**

Each public storage warehouse shall keep a perpetual inventory of all stocks of liquor and a certified copy of the physical inventory shall be mailed to the board not later than the tenth of each month, showing stock on hand at the close of the preceding month and at such other times as the board may require.

**(100) Complete Records Kept**

Each public storage warehouse shall keep full and complete records showing all liquor received for storage, together with all removals and exportations thereof, such records to be kept in such manner and in such form as the board shall prescribe, and in cases of removal, releases or shipments, shall preserve, subject to the order of the board, all bills of lading or certified copies thereof, and all authorizations of the board for withdrawals of samples.

**(101) Records Open to Inspection**

The books and records pertaining to liquor receipts, storage and shipments, shall at all times be open for inspection by the board or its authorized representatives, who shall have access to the warehouse at any time during business hours for the purpose of inspecting records and checking inventory.

**(102) Special Importation Permit**

Each manufacturer holding a special permit under section 12 (d) of the Washington State Liquor Act to import alcohol, malt and other materials containing alcohol to be used in the manufacture of liquor or other products, shall notify the board of the location of their principal office within the state, at which office shall be kept full and complete records of all transactions pertaining to the importation of alcohol, malt and other materials containing alcohol and the disposition thereof, in a form approved by the board.

**TITLE VIII.—CLUBS****(103) Operations Under Retail Licenses**

Clubs operating under any class of retail license shall govern their operations in selling liquor in accordance with the regulations set forth in Title II, applicable to all retail licensees, except as otherwise specifically provided in this Title. Such clubs shall not cater to the public generally and shall sell only to members, visitors and guests as provided in these regulations.

**(104) Applications**

1. Applications for new club licenses shall be accompanied by proof that:

- (a) the club is a bona fide, nonprofit organization;
- (b) the club has been in operation for at least one year immediately prior to the date of its application, such proof to consist of records of (1) membership, (2) meetings at least once a month regularly attended by a substantial number of the members during such period, (3) the location of such meetings, and (4) such other data as is necessary to establish the fact that the applicant has actually operated as a club for such year;

(c) the application is approved by a majority of the members which approval shall be indicated by presentation to the board of a petition bearing the names of such members desiring the license. The president and secretary of the club shall certify on such petition the total number of members of the club in good standing as of the date of the application and that those signing the petition are all members in good standing on such date;

- (d) the club was not primarily formed or activated to obtain a license to sell liquor, but that the sale of liquor is incidental to the main purposes of the club.

2. Applications for renewal of club licenses shall be made on forms prescribed by the board.

3. All applications must be made in the official name of the organization and be signed by either the president or the secretary and be accompanied by a certified copy of the minutes of that meeting of the governing board of the club which authorized the president or secretary to make the application. The use of trade names shall not be permitted.

**(105) Constitution—By-Laws—House Rules—Approval by Board**

No license shall be issued to any club unless its constitution, by-laws, and house rules are submitted to and approved by the board. Two copies of such constitution, by-laws, and house rules and any amendments thereto shall be kept on file with the board at all times. No amendments to the same which will in any way affect the operation under such license can become operative until after the same have been submitted to and approved by the board.

**(107) Records**

In addition to the requirements of Regulation (32), clubs shall maintain a complete system of bookkeeping covering all operations of the club, with the operations thereof pertaining to liquor being kept separate in a manner prescribed by the board. All such records shall be maintained in an office on the licensed premises and be available for inspection and audit by agents of the board, which agents shall be entitled to make copies thereof or abstracts therefrom or, upon furnishing a proper receipt therefor, remove the originals for such purposes as the board deems necessary.

**(108) Club Property and Finances—Concessions**

All property of any club, as well as the advantages thereof, must belong to the members. Any funds advanced for the purchase or improvement of club rooms or quarters must be advanced by the membership or upon securities or properties owned by the club, and any obligations assumed in connection with the establishment or operation of club rooms or quarters must be assumed by the entire club. No club shall receive any money from any source whatever under any arrangement through or under which the person or persons advancing such funds, whether members of the club or not, are to be given control or supervision over the operation of the club. All activities of any such club, except food service and such other activities as may be specifically approved by the board, must be conducted by the club itself and in its own right, and not upon any concession basis either to any member of the club or to any third party. No member of the club, officer, agent or employee of any such club shall be paid, or directly or indirectly receive, in the form of salary or otherwise, any revenue from the operation of the club beyond the amount of such reasonable compensation as may be fixed or voted by the proper authorities of the club and in accordance with the constitution and by-laws of the club.

**(109) Club Roster—List of Officers**

(a) Every club shall keep and maintain on the premises a complete roster giving the names and addresses of all its members.  
(b) Each club shall file with the board a complete list of its officers showing the address, occupation and name of each officer. When any change occurs in its officers by reason of election or otherwise, the club shall immediately file with the board a revised list of its officers.

**(110) Designated Portion of Club Used for Service and Consumption of Liquor**

(a) Each club must specify and describe in its application for license that portion of the club premises to be used for the storage, sale and consumption of liquor. No change in such portion of the club premises so described and approved shall be made without the consent of the board.  
(b) Where the physical setup of the club rooms or quarters renders it practical so to do, such portion of the club premises shall be a room or rooms devoted solely to such service and capable of being entirely closed from the remainder of the club rooms or quarters. Bona fide members may possess and consume their own liquor at any time and in any part of the club premises as permitted under the by-laws and/or house rules of the club. If the club rents any portion of the club rooms or quarters for any purpose other than a strictly club purpose, or holds any function within the club rooms or quarters to which the public generally is invited or admitted, then such portion de-

The constitution, by-laws and/or house rules shall provide, among other things:

- (a) that all classifications of members must be admitted only on written application and only after investigation and ballot. Such admissions must be duly recorded in the official minutes of a regular meeting;
- (b) standards of eligibility for members;
- (c) limitation on the number of members consistent with the nature of the club;
- (d) that not more than twelve (12) honorary members be admitted in any one calendar year, and that nonresident and associate members be restricted to numbers consistent with the nature of the club;
- (e) reasonable initiation fees and dues consistent with the nature and purpose of the club;
- (f) the period for which dues shall be paid and the date upon which such period shall expire;
- (g) reasonable regulations for the dropping of members for the nonpayment of dues;
- (h) strict regulations for the government of club rooms and club quarter generally consistent with the nature and character of the club;
- (i) that club rooms and quarters must be under the supervision of a club manager and house committee, which committee shall be appointed by the governing body of the club;
- (j) provisions for visitors and for the issuance and use of guest and courtesy cards in accordance with Regulation (106).

**(106) Guest and Courtesy Cards—Visitors**

1. Guest cards may be issued only as follows:
  - (a) for clubs located within the limits of any city or town, only to those persons residing outside of an area ten (10) miles from the limits of such city or town;
  - (b) for clubs located outside of any city or town only to those persons residing outside an area fifteen (15) miles from the location of such club: *Provided*, That where such area limitation encroaches upon the limits of any city or town, the entire corporate limits of such city or town shall be included in the prohibited area;
  - (c) such guest cards shall be issued for a period not to exceed two (2) weeks and must be numbered serially, with a record of the issuance of each such card to be filed in a manner as to be readily accessible to the agents of the board.
2. Visitors may be introduced when accompanied at all times by a member: *Provided*, That any such visitor may only enjoy the privileges of the club a reasonable number of times in any one calendar year.
3. Persons who are members in good standing of a national veterans or fraternal organization may enjoy the privileges of any club operated by a local post, chapter, or lodge of any such organization without reference to the above restrictions.
4. Courtesy cards may be issued to the adult members of the immediate family of any member with or without charge upon application being made to the club by the member.

voted to liquor service must be closed to the public generally and no one admitted therein, except bona fide members, bona fide visitors and bona fide guests. If such portion cannot be so closed, then no such liquor service whatever shall be permitted within the club rooms or quarters during the entire time when such non-club activity is taking place or while the public generally is permitted within the club rooms or quarters.

#### (111) Soliciting—Advertising—Special Events

Clubs shall not engage in any form of soliciting or public advertising, nor shall they publicize any open house activities, banquets, cocktail hours, or similar functions by means of postcards or on the outside covers of any house organs. Such latter activities and functions shall be limited to special and infrequent occasions.

Clubs shall not be permitted any exterior signs with the exception of one sign of reasonable size, which sign shall bear only the club's name and a description of which shall be submitted to the board for its approval.

### TITLE IX.—LIQUOR SALESMEN AND REPRESENTATIVES

#### (112) Sales to Board—Registration of Agents

All persons, firms or corporations selling or intending to sell or offering for sale any liquor to the board shall register with the board upon forms prescribed by the board each salesman, agent and representative through whom such person, firm or corporation transacts or conducts its sales or makes it offers, and each such salesman, agent and representative shall obtain from the board a registration card.

The fee for such registration shall be \$25.00 each fiscal year for each applicant. Upon receipt of the registration form and fee the board shall issue to such salesman, agent or representative credentials in the form of a registration card authorizing him to conduct the purposes of his employment subject to the conditions imposed by the law and the regulations.

Upon termination of the employment of such salesman, agent or representative, his employer shall immediately notify the board and with such notice return to the board such credentials as may have been issued for such salesman, agent or representative.

#### (113) Salesmen—Prohibited Practices Penalties

(a) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, shall solicit either in person, by mail or otherwise, any liquor vendor or employer of the board, except the purchasing agent thereof, for the purpose or with the intent of furthering the sale of a particular brand or brands of merchandise as against another brand or brands of merchandise.

(b) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall visit any state liquor store or agency except for the purpose of making a purchase in the usual manner, as any other customer, and such person shall not enter any warehouse, store or agency of the board for the purpose of sales promotion or to secure information regarding inventory or any other matter relating to sales.

(c) No salesman, agent or representative of any manufacturer, wholesaler or distributor of liquor shall give or offer to any employee of the board

any entertainment, gratuity or other consideration for the purpose of inducing or promoting the sale of merchandise.

(d) No manufacturer, wholesaler or distributor of liquor, or salesman, agent or representative thereof, except the authorized agent of a licensed beer wholesaler, brewery or beer importer, or of a licensed domestic winery or domestic wine wholesaler, shall, directly or indirectly, by mail or otherwise, contact or solicit any retail licensee or any employee thereof for the purpose of promoting or inducing the sale of any liquor whatsoever nor grant, allow, pay or rebate, directly or indirectly, any cash or merchandise to any licensee to induce or promote the sale of liquor, including the payment of tips to licensees or their employees and the purchasing of drinks "for the house."

(e) Upon the infraction of any of the foregoing regulations by any salesman, agent or representative, the board may cancel the credentials issued to such salesman, agent or representative and may remove his company's products from the sales list of the board.

### TITLE X.—HEARINGS

#### (114) Method

Hearings which may involve the suspension or cancellation of a license, or the imposition of a monetary penalty, shall be called and conducted in the following manner:

(a) Before any such hearing shall be called, some member of the board shall give written approval to the holding of it. When it has been determined that a hearing shall be held, the entire record of the licensed premises involved and of the licensees shall be given to the assistant attorney general assigned to the board, who will hereinafter be referred to as the attorney.

(b) The attorney shall prepare a written complaint which shall fully advise the licensees of all charges which will be considered at the hearing. The complaint shall be signed by a member of the board, after which the attorney shall deliver the original and such copies as may be necessary to the examiner appointed by the board pursuant to section 27 (2-A) of the Washington State Liquor Act.

(c) The examiner shall conduct the hearing, which shall be held as soon as feasible. Each licensee charged shall be served with a copy of the complaint together with written notice of the time and place of the hearing. Such notice and complaint shall be served not less than ten days prior to the hearing unless the licensee consents to shorter notice. Service of the notice and complaint shall be made by delivering the same to the licensee personally, by leaving them at the licensed premises with the person in charge thereof, or by sending them by registered mail to the licensee at the address shown on the application for license.

(d) All subpoenas shall be issued by the examiner, who shall issue them when requested by the attorney, a licensee or a licensee's attorney, and he may issue them on his own motion.

(e) At the hearing before the examiner all the evidence which either party desires to have considered shall be presented and the board shall consider no evidence which is not so presented. The hearing may be continued by the examiner for the purpose of receiving additional evidence. Depositions may be taken and received in evidence in the same manner, so far as practicable, as they are used in civil actions in the superior courts of this state.



- (a) The consignor and point of origin of shipment, and the consignee and point of destination;
- (b) The route of such shipment while in transit over the highways of the State of Washington;
- (c) The dates when such shipment will enter and leave the state;
- (d) A description of the transporting vehicle, including license numbers and other identifying plates;
- (e) A complete description of the liquor to be transported.

3. Upon said application being filed the board may issue a permit, which permit shall describe the vehicle or vehicles in which such liquor may be lawfully transported, and shall prescribe the lawful route of such shipment and the time during which it may be lawfully moved. Said permit shall also prescribe the quantity and type of liquor which may be transported.

4. Said permit together with bills of lading or other shipping documents signed by the consignor giving a full description of the liquor being transported shall at all times be in or on the vehicle transporting such liquor.

5. The driver or person in charge of any vehicle or conveyance covered by said permit shall, when requested by any representative or agent of the board and/or any persons having police authority, exhibit to such person the said permit or bills of lading or other memoranda of shipment covering the cargo of such vehicle or conveyance, and shall allow such person to inspect the vehicle or conveyance and its cargo at any time while within the State of Washington.

6. Upon arrival of said shipment at its destination, said permit shall immediately be mailed or delivered to the board at Olympia, Washington.

#### TITLE XII.—ADVERTISING

(See Guide to Advertising, p. 123.)

##### (116) Mandatory Statements

(a) Brand advertising of spirituous liquor by any manufacturer shall contain the following information:

1. The name and address of the manufacturer responsible for its publication. (Street number may be omitted.)
2. A conspicuous statement of the class to which the product belongs and the type thereof corresponding with the statement of class and type which is required by Federal regulations to appear on the label of the product.
3. A statement of the alcoholic content by proof, except that for cordials and liqueurs, gin fizzes, cocktails, highballs, bitters and other specialties, the alcoholic content may be stated in percentage by volume or by proof.
4. In the case of distilled spirits (other than cordials, liqueurs and specialties) produced by blending or rectification, if neutral spirits have been used in the production thereof, there shall be stated the percentage of neutral spirits so used and the name of the commodity from which such neutral spirits have been distilled.
5. In the case of neutral spirits or of gin produced by a process of continuous distillation, there shall be stated the name of the commodity from which such neutral spirits or gin has been distilled.

(b) Brand advertising of wine by any manufacturer or wholesaler shall contain the following information:

The attorney shall be responsible for presenting the board's case and any licensee may be represented by an attorney who is admitted to practice in the courts of this state. The hearing shall be conducted in the same manner, so far as is practicable, as are superior court trials. The testimony and evidence shall be taken by a reporter. At the conclusion of the hearing the examiner shall inform the licensee that if he desires to be heard before the board he shall notify the examiner at that time, or in writing within five days thereafter.

(f) After the hearing the reporter shall prepare a statement of facts containing all the evidence which was introduced, and the examiner shall prepare an abstract thereof and a case history of the licensee and the licensed premises. Such statement of facts, case history and abstract shall be filed with the secretary of the board and a copy thereof shall be delivered to the attorney. If no hearing before the board is requested the board shall make such disposition of the matter as it deems proper. If a hearing before the board is requested, the secretary of the board shall mail to the licensee or his attorney a copy of the abstract and case history together with written notice of the time when the matter will be heard by the board. The licensee or his attorney may have a true copy of the entire statement of facts or a full transcript of the testimony of any witness by requesting the same and paying for it at the rate of five cents per folio for the first copy and three cents per folio for each additional copy.

(g) Hearings before the board shall be held on the first and third Tuesdays of each month at the board's office in Olympia. Two members of the board shall constitute a quorum. The board shall be represented by the attorney and the licensee may appear for himself or through his counsel. No new evidence shall be received and the hearing before the board shall be limited to argument, which shall not exceed thirty minutes each for the licensee and the attorney. The licensee shall have the right to open and close the argument. The licensee may file a written brief with the board and thus waive his right to oral argument. If he does so, the attorney shall be precluded from oral argument, but may also file a brief. The board shall give its judgment in the matter as soon as possible after the conclusion of the hearing.

(h) In hearings upon applications, the above procedure, so far as it is applicable, shall be followed.

(i) In hearings before the board other than those provided for by paragraph (g), the procedure in said paragraph, so far as it is applicable, shall be followed.

(j) Nothing herein contained shall prevent the board from exercising the power given it by section 27 (3-A) of the Washington State Liquor Act, to summarily suspend or cancel any license.

#### TITLE XI.—TRANSPORTATION OF LIQUOR

##### (115) Transportation Through State—Permit Required

1. It shall be unlawful for any person to transport liquor through the State of Washington over the highways therein unless such person shall first obtain from the board a permit to transport such liquor and then only in accordance with the terms and conditions of said permit.
2. An application for said permit shall be filed with the board which shall set forth the following information:

Resp to Costco RFP  
2771



1. Name and address of the manufacturer or wholesaler responsible for its publication. (Street number may be omitted.)

2. A conspicuous statement of the class, type, or distinctive designation to which the product belongs, corresponding with the statement of class, type, or distinctive designation which is required by Federal regulations to appear on the label of the product.

(c) Brand advertising of malt beverages by any manufacturer, importer, or wholesaler shall contain the following information:

1. The name and address of the manufacturer, importer or wholesaler responsible for publication of the advertisement. (Street number may be omitted.)

2. A conspicuous statement of the class to which the product belongs, corresponding to the statement of class which is required by Federal regulations to appear on the label of the product.

#### (117) Code Numbers or Reference to State Stores Prohibited

No liquor advertising shall use any code number, insignia, or other device that may be in use by the Washington State Liquor Control Board, nor shall any such advertising refer in any way to the Washington State Liquor Control Board, its stores or agencies. (See Guide to Advertising. Sec. (1)-(q).)

#### (118) School Programs

No liquor advertising shall be carried in any programs for events or activities in connection with schools, colleges or universities.

#### (119) Contests, Lotteries, etc., Prohibited

No liquor advertising shall include, be connected with, or make any reference to, the conducting of any form of contest, lottery or the awarding of prizes or premiums.

#### (120) Sound Truck and Aircraft Advertising Prohibited

No liquor advertising shall be permitted by the use of sound trucks, sky-writing, or banner-towing by aircraft.

#### (121) Picture Screen Advertising Prohibited

No liquor advertising shall be displayed upon the picture screen of any theatre.

#### (122) Outdoor Advertising

(a) No outdoor advertising of liquor shall be placed in proximity to schools, churches or other public institutions, nor in any other place which the board, in its discretion, finds would be contrary to the best interests of the public. Should any outdoor advertising prove to be objectionable after being established in any location, it shall be removed immediately upon order of the board. (See Guide to Advertising, Sec. 2.)

(b) Advertising of malt beverages or wines, but not spirituous liquor, may be displayed on car cards inside buses and street cars, but no liquor advertising shall be displayed on the exterior of any public conveyance.

(c) No direct reference to liquor or service of liquor by a retail licensee shall be made on outdoor advertising media, and no indirect reference to liquor or service of liquor by a retail licensee shall be made on outdoor advertising media without approval of the board.

#### (123) Novelty Advertising Prohibited

No liquor trade name or the name of a manufacturer of any liquor shall be used in connection with any advertising through the sale or distribution of novelties, such as matches, trays, score cards, lighters, blotters, post cards, pencils, coasters, menu cards, meal checks, napkins, foam scrapers, clocks, calendars, or similar articles.

#### (124) Advertising Jointly by Retailer and Wholesaler or Manufacturer, Prohibited

The name of a retail licensee shall not appear in, or as a part of, or supplementary to, any advertising of a manufacturer or wholesaler, nor shall the name of a manufacturer or wholesaler or brand name of liquor appear in or as a part of or supplementary to, the advertising of any retail licensee: *Provided*, That Class E and F licensees may advertise various brands of beer and wine in newspapers and periodicals under the following conditions:

(a) That two or more brands each of beer or wine are listed in any advertisement offering specific brands for sale.

(b) That no brand is given prominence in the advertisement over any other brand mentioned in that advertisement.

(c) That brand advertising is supplementary to the main theme of the advertisement and is not given undue prominence, but is confined to type size and copy consistent with the appearance of the remainder of the advertisement.

(d) That such advertising, by appearance or in fact, is not sponsored by a retailer and a manufacturer or wholesaler. (See Guide to Advertising, Sec. (1)-(w).)

#### (125) Direct Mail Advertising Prohibited—Exceptions

No liquor advertising shall be sent directly to a consumer, by mail or otherwise: *Provided*, That this prohibition shall not apply to liquor advertising contained in newspapers or periodicals; *And provided further*, That cocktail recipes may be distributed on direct written request. Newspaper and periodical advertising may include recipes or statements that recipes are available, if such recipes or statements are subordinated to the main theme of the copy.

#### (126) Advertising on Retail Licensed Premises

(a) "Signs," as used in this regulation, shall include all signs advertising liquor, whether neon signs or signs illuminated by any other method, placards, display cards, decalcomanias, or other advertising media of similar character.

(b) No signs or other matter advertising liquor or any brands thereof, shall be erected or placed upon the outside of any building in which liquor is sold at retail, or in close proximity thereto, except as specifically provided below, and no advertisement whatsoever shall contain the words "bar," "bar-room," "saloon," or words of like or similar import.

(c) Signs and other advertising matter, as well as interior decorations, equipment and supplies shall be designed, installed and used in a manner not offensive to the public.

(d) Signs shall be illuminated only during hours when liquor is sold. (See Reg. 20.)

1. No bottles, cans, cases, kegs or other containers shall be displayed in windows.

2. Holders of E and F licenses only may display bottled and cased beer and wine in the rear two-thirds of that area of their premises devoted to retail sales in a manner similar to the display of other merchandise, but shall not give said display undue prominence. Displays of cartons bearing the original state revenue stamp shall not exceed 48 inches in height measured from the floor, and shall not be so large as to impede the free movement of customer traffic or to be offensive to the public.

(Guide for inspectors: Following is a statement of what the board considers to be adequate carton displays, based on the area of the premises devoted to retail sales:.)

Retail Sales Area of Store	Maximum Height—Measured From Floor	Carton Display area permitted for floor or shelf	Approximate Number of Cases Stubbies (or) Cans (or) Qts.
500 sq. ft. or less			
(20' x 25' or equivalent)	48"	250 sq. inches	6 (or) 9 (or) 4
501 sq. ft. to 1,000 sq. ft.	48"	700 sq. inches	18 (or) 27 (or) 12
(25' x 40' or equivalent)			
1,000 sq. ft. to 4,000 sq. ft.	48"	1,800 sq. inches	36 (or) 54 (or) 24
(40' x 100' or equivalent)	48"	2,800 sq. inches	60 (or) 90 (or) 40
4,000 sq. ft. or over			

3. On-premises licensees shall confine displays to bottles and cans on the back bar: *Provided*, That on-premises licensees who hold Class E licenses shall also be permitted to display on the back bar a maximum of 90 bottles or cans; *Provided further*, That such displays shall not be readily visible from the street.

4. All other liquor cases and all liquor kegs shall be kept in a storeroom or covered in such manner as to be kept from public view.

(h) No retail licensee shall permit the use of any sound amplifying device, public address system or loud speaker in, on or about the licensed premises for broadcasting music or entertainment to the outside of the licensed premises.

(e) Class H licensees shall not be permitted to display in or about the licensed premises signs as defined hereinabove except as follows:

1. On the exterior of the premises, in addition to signs bearing the licensee's trade name, one single-faced sign not to exceed in area 630 square inches, and no one dimension to exceed 42 inches, to be placed in the immediate vicinity of the entrance, and flat against such exterior or on the inside of a window. The lettering on such sign shall not exceed six inches in height and no figures or symbols other than decorative trim, which trim shall be included within the area specified above, shall be permitted, nor shall such signs, if illuminated, be of the flashing type.

2. One interior sign not to exceed in area 300 square inches placed immediately at the entrance to each room or rooms in which liquor is served to the general public, the lettering thereon not to exceed three and one-half inches in height except for the first letter of any word; nor shall such signs include any figures, symbols, or decorative trim.

3. Such signs shall be limited to the words "cocktail," "cocktails," or "cocktail lounge."

4. One additional sign, to contain no words other than "beer" and/or "wine" or "wines" may be placed on or above the back bar. Such sign may not exceed in area 100 square inches, lettering thereon to be not more than 2½ inches in height except for the first letter in any word. Lettering may be illuminated, but not of the flashing type, and the sign shall contain no figures, symbols or decorative trim.

5. Complete description of all signs must be submitted to the board for approval prior to installation.

(f) All licensees other than Class H shall be governed by the following provisions:

1. Signs shall be limited to illuminated or unilluminated signs of not to exceed in area 630 square inches and no one dimension to exceed 42 inches.

2. Signs and other advertising matter shall be so placed as to always provide a clear and uninterrupted view of the interior of the premises from without.

3. No more than three signs, illuminated or unilluminated, may be displayed in the windows of a retail licensed premises, only two of which may be brand signs. No other beer or wine advertising matter shall be permitted in windows: *Provided, however*, That one additional sign advertising "Bock Beer" or "Christmas Packages" shall be permitted.

4. All signs shall be paid for by the retail licensee: *Provided, however*, That manufacturers and wholesalers may furnish to retail licensees one illuminated beer brand sign per brand of beer and also unilluminated brand signs of beer and wine of nominal value for interior display only; *Provided further*, That retail licensees handling only one brand of draught beer may be furnished two illuminated brand signs advertising such beer.

5. No licensee shall put or keep on display in any place on the licensed premises any signs advertising beer and/or wine unless the beers and/or wines so advertised are actually then available for sale on such premises: *Provided*, That this restriction shall not apply when beer or wine stocks are temporarily depleted.

(g) Displays of bottled and cased beer and wine shall be permitted under the following conditions: